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EDITORIAL

With the completion of three fledgling years and a hopeful entry into a fourth, the *British Journal of Delinquency* is to some extent in a position to take its own measure. It is not out of place therefore to consider how far it has been able to live up to its original aim of providing a forum for the elucidation and discussion of the varied problems of delinquency. Not the least rewarding of the privileges enjoyed by the Editorial Board has been the opportunity of keeping a finger on the pulse of recorded research, of assessing the contributions to the problems of diagnosis, prognosis, treatment and prevention which are or should be the first concern of all students of delinquency. In a sense the provision of an Index, the latest instalment of which is included in this issue, is more than a bibliographical convenience: it provides the wherewithal for a rough estimation of the trends of modern work on delinquency and of the relative vigour of effort displayed in the different fields or avenues of approach.

A glance at the contents will show that an increasing amount of activity is displayed in most of the cognate fields. On the whole the honours lie easy between sociological approaches in which the problem as a whole is investigated on a statistical basis, clinical investigations in which social and psychological measures are applied to specific institutions (e.g., hostels, approved schools, Borstals, prisons), and a number of studies in which psychological observations of a rather general kind are recorded with or without statistical check or control groups. It is also clear that the modern tendency to team work, which is in any case inevitable in a field involving many distinct disciplines, is developing, with some rapidity. And the same may be said of more circumscribed researches in which for example neuro-psychiatric methods such as the electro-encephalogram are correlated with clinical approaches.

Pride of place must, however, be given to the pioneer work on prediction, which we have been privileged to publish. There seems every reason to suppose that investigations along these lines will attract an increasing number of workers. Indeed there is urgent need that it should do so, for not only is prediction an essential adjunct to diagnostic and prognostic work, but the effectiveness of preventive effort depends on the discovery of rapid and reliable methods of sifting the normal school populations for potential delinquents.

On the debit side there is an astonishing dearth of what might be called purely clinical studies. This is particularly true of psycho-analytical researches which are conspicuous by their absence. Anthropological researches come a close second in this respect. This is the more regrettable in that, whatever may be said of the relative virtues and importance of individual, uncontrolled studies on the one hand and on the other of statistical studies of groups, there can be no question that the first duty of a delinquency worker is to soak himself thoroughly in clinical investigations and histories. Even should his ultimate work be purely sociological in scope, there is an immeasurable advantage in knowing exactly how the various types of delinquent appear and behave and in understanding as far as possible the motivations that lie behind each particular type. Necessary as it is that psychologists should understand sociological method, it is even more urgent that sociologists should have a close acquaintance with the habiliments of delinquent character. As for anthropological studies, it is unnecessary to remind our readers not only that many of the secrets of criminal conduct can be surmised by studying the criminal codes of primitives but that the least favourable lines of treating delinquency can be readily recognized by investigation of the racial history of punishment.

But whereas the paucity of anthropological communications can be explained partly by a shortage of workers and partly by a significant absence of interest in delinquency problems, the same cannot be said of the shortage of clinical communications. In view of the increasing number of psychiatrists and child-guidance experts who concern themselves with behaviour problems, one can only fall back on the explanation that the devoted clinician is a costive writer, as indeed appears to be the case. There is actually an embarrassment of riches in the clinical field; yet so far the most ready contributions on the subject have come from lay observers, trained chiefly in social or educational method.

All of which suggests that in future one of the main functions of the *British Journal of Delinquency* must be to assist in developing or organizing methods of team-research. This will involve not only the isolation of 'common denominators' to the various disciplines, but a clear recognition

of the points at which team-effort can stultify itself and retard progress by absence of common measures and principles of approach.

Some at least of these contentions are supported by the papers published in this present issue. Mrs. Dockar-Drysdale's picture of the Mulberry Bush School belongs to the group of 'uncontrolled' clinical studies, and raises a special problem in the treatment of maladjusted children. Most delinquent children are given in varying degree to the 'playing out' of aggressive trends; on occasion they make considerable efforts, both consciously and unconsciously, to make restitution for damage done. While this may appear to be a very circumscribed issue, it is nonetheless fundamental. It not only illustrates a trend which lies at the root of many anti-social attitudes but, as Aichhorn conclusively demonstrated in his pioneer work, has an important bearing on the crucial issue of treatment *versus* punishment. Much thought will have to be given to the respective roles of discipline and of permissiveness in the handling of aggressiveness and to the extent to which an environment can be established in which aggression can pass from the destructive to the constructive through the processes of restitution in which the inter-personal relationship of child and parent figure plays so important a part.

Distant as may appear the connection between Mrs. Dockar-Drysdale's paper and the review by John Spencer of the respective working of 'corrective' and 'preventive' detention in our prisons, it requires little effort of the imagination to see that the effectiveness of any system of detention depends on the degree to which we can apply the principles of reform and of control to individual cases. As Dr. Spencer succinctly observes, 'The more reformative the objective, the less purely custodial can the prison system afford to be'. More and more it becomes apparent that once the needs of social security are satisfied the function of any institution should be to apply those methods of treatment or regulation which hold out most promise of social stabilization of the inmate. Practical and economical as the method of preliminary classification of prisoners may be, it does not help us to determine the *methods* of treatment that are necessary. In medical practice treatment is determined not just by prognosis but on the strength of accurate diagnosis. In other words selective methods should apply not only to the suitability of the case but also to the suitability of treatment. In the search for suitable treatment observations such as those of Mrs. Dockar-Drysdale are invaluable. Needless to add the successful 'training of the staff in man-management', for which Dr. Spencer appeals, depends on a thorough orientation of prison personnel in these less familiar and somewhat surprising aspects of child-psychology.

SOME ASPECTS OF DAMAGE AND RESTITUTION

By P. DOCKAR-DRYSDALE, The Mulberry Bush School (STANDLAKE)

INTRODUCTORY NOTE

The Mulberry Bush School, Standlake (Oxon.), is an independent special school for maladjusted children, approved by the Ministry of Education under Section 9(1) of the Education Act of 1940. The aim of the school is to provide short-term intensive residential treatment for severely disturbed and aggressive children of average intelligence between the ages of five and twelve. The principles underlying our work are briefly as follows:

(1) To act as a therapeutic institution. (2) To carry out the treatment advised by the Child Guidance Clinic where this cannot be done at home. (3) To help (a) the child, (b) the parents, and (c) the family as a unit, maintaining a close liaison with the Child Guidance Clinic concerned both during and after treatment. (4) To make it possible for the child to 'work through' his emotional problems, using his whole existence within the school as a therapeutic instrument.

The following notes are based on the practical experience of the last few years. That such experience should be possible is due to the work of the pioneers in this field, above all that of August Aichhorn, who, having succeeded in modifying public opinion, was able to pursue unorthodox methods long enough to achieve success. He thereby left 'wayward youth' a heritage, namely, the right to expect understanding and help from society in place of condemnation and punishment. We cannot copy him or those pioneers who subsequently worked in this field. But their individual successes have influenced the opinions of responsible people sufficiently to support new workers such as ourselves, who are now able to experiment with the encouragement and approval of society, so that it has been possible for us to permit the damage and await the restitution described in this paper.

Considering first of all the question of attitudes arising in a school such as ours in response to aggressive behaviour involving damage, we believe that a tolerant attitude towards all kinds of attack on things is necessary while the child is making a 'safe' positive relationship with an adult, thus leaving him free to express the hostile aspects of that relationship against inanimate objects and ideas. Most of the children who come to us have transferred their attacks from people to things. It is therefore undesirable for us to produce a situation in which it will be impossible for

them to continue to use this mechanism. Before coming to us, they have probably been severely punished for damage to property, although such acts of aggression provided, for the time being, a safety valve which they will not need to employ eventually when their attitude towards their parents will have been altered considerably. It is, of course, necessary during this process to keep a strong framework of community life to enclose the child and keep him safe. Sooner or later, in fact when a 'safe' adult-relationship is really well established, he will gradually express hostility towards this adult. From this point onwards, as the adult becomes the recipient of aggression, and also as the child begins to value himself as an entity, destruction and damage will tend to occur less often. Once this solid foundation is laid, a long, arduous struggle follows, culminating in a more moderate and normal relationship which we must then gradually attempt to transfer to the parents.

Of course it is perfectly possible to forestall the stage of damage and destruction, for example, by introducing the child to an environment so 'grand' that any attack on things would be intolerable for him, or to a code of behaviour with a series of sanctions and penalties so well established as to be unassailable.

But it seems to me that the heart of the matter lies in being prepared to 'allow things to happen' in order to permit other developments to take place. We have seen the sequence of events to which I refer take place again and again; nor do we find the amount of damage done intolerable. We believe that the phase of damage is an essential stage in treatment. We do not believe that the same therapeutic results would be achieved were it possible to acquire completely unbreakable equipment of every kind.

There are certain aspects of such attacks on things which seem to me to be of particular interest, especially in terms of the measure of safety which they provide for the child. Many of the children who come to us are punishment-seeking and, in consequence, self-destructive. Under certain circumstances it would seem that things can be projections of the child himself and that in attacking things he displaces fantasy destruction of his own person. For example, an orphan who had spent four years in an institution came to us recently. In addition to his many symptoms he was deeply preoccupied with his clothes. Under no circumstances could he tear them, dirty them, or lose them; he asked to be allowed to take complete charge of his garments, and was appalled by our own rather casual attitude towards these matters and the indifference of the majority of the children. This boy frequently required treatment for major or minor accidents; he was anxious and afraid of hurting himself, but seemed, nevertheless, to court physical disaster. After a time his attitude began to alter, and he

started to tear and dirty his clothes like everyone else. At just this point he ceased to hurt himself, and actually said to me, 'Isn't it funny? I'm not hurting myself and I'm tearing my clothes'. Another child, a little girl, suffered from severe depressions and was a compulsive runaway. There was evidence of a connection between these flights and a passionate wish that her mother would leave her brutal and psychopathic father. It was either the acting out of a wish or, as it were, a piece of sympathetic magic to make mother give up her suffering role and run away. She was usually found by the river in a bitterly unhappy condition, and we found that she would always throw some garment—a dress, a shoe, a jersey—into the water. Had we not understood her behaviour, the consequences might have been serious.

Certain things may be symbolic to a particular child and singled out for attack because of their underlying emotional significance. Should such objects be inaccessible, we may have no opportunity to observe the particular mechanism. It is especially important that we should be able to do so because it may actually be this very object which will eventually provide a field for restitution. The boy whom we remember as the 'egg child' is an example of this. This particular child smashed eggs, and this aspect of his behaviour symbolized an attitude to a younger brother which had been present for many years. Had the larder been locked we might never have been aware of this fact. At a later date the 'egg child' kept hens!

In observing damage done to things and attacks carried out upon people, I have been struck by the fact that, just as for certain children things may stand for people, so to others people may stand for things. There is, in this connection, a form of unprovoked attack against a person which does not suggest focussed aggression but rather damage done to something which might as easily have been a window or a piece of furniture. I would note that such behaviour can also be positive; for example, I have watched a very disturbed child actually using a person as so much play material.

It seems to me essential that the severely maladjusted children in our school should thus find their own special outlet for aggression both for their own sake and because, unless we see these symptoms, we cannot have a complete picture of the child's personality and so cannot know how best we can help him. I am not suggesting for a moment that there should not be adequate provision for legitimate aggressive activities. These are, of course, essential, but may not present precisely the opportunities needed by the particular child. I think too that we are unlikely to obtain a clear view of the way in which each child makes restitution unless such damaging behaviour is possible in the first place.

Turning now to consider restitution in its various forms: it is our belief that children who do damage strive consciously or unconsciously to make restitution. Restitution may not be made in the form which is expected and recognized by the unwary adult. What then is the best attitude to adopt in face of such aggression? What response can the child expect? Should he be punished, and, if not, what can we do instead? One of the most frequent questions asked by visitors of all kinds including officials, parents, students and neighbours is, 'What do you do about discipline?'

It is generally accepted that punishment in the form of a deterrent or retribution has no place in a community of maladjusted children. Enforced restitution is, however, often advocated. We consider that there is a wide gap between enforcing restitution and making available the means for spontaneous restitution. We feel that our response in any situation should be to the child's state of mind rather than to his overt behaviour. I do not believe it is always necessary to make a child aware that he has committed an anti-social act, as is frequently claimed, since, consciously or not, he will usually be aware of this fact. It may be argued that other children demand fair play in such situations—that the boy who has been attacked, for example, demands retribution, that the boy who 'jumps the queue' must be punished because this is what the group has a right to expect. This is not borne out by our experience with maladjusted children. It is so often the adult's point of view which determines the outcome of such situations. We find that the child who has been attacked is completely satisfied by real sympathy on the part of the grown-up; he does *not* demand revenge. It is very much more often the adult who seeks retribution rather than restitution, and while the adult may claim that he represents the group's wishes in asking for punishment, I feel that there are occasions when it will be found that really it is the group who reflect the adult's needs in such circumstances.

In the normal course of social development the child accepts frustration provided that he is compensated with love, meets demands in exchange for approval, and, in return for modifications made by the parents, modifies his way of life to avoid clashes with the grown-up pattern. This appreciation of fair play seems to me to be very important and essentially restitutional amid so much that is unfair in the child's world. I have seen a boy compete with another for affection and approval, each gaining his needs by fair means or foul, and the same children subsequently playing a nursery game with scrupulous fairness—one taking, as it were, the lion's share of attention but dividing the cake precisely in half. This whole question of what is fair and what we are justified in permitting to happen here often arises in the course of discussion with visitors. I find that it

seems very difficult to discuss the question both of response to damage and to other forms of anti-social behaviour without arousing anxiety and hostility.

In discussions with all kinds of individuals and groups, I have been struck by the surprisingly ready acceptance of the concept of restitution in place of punishment. It seems important at this point to stress the difference between enforced restitution and that which is made naturally in answer to the child's own needs. It should also be pointed out that there is a contrast between the making of restitution and self-punishment.

It would seem, from the normal behaviour of young children with their mothers, that there is a trend towards restitution from an early age. Little children do seek to make amends to their mothers. There are circumstances in which we can recognize *re*gaining rather than merely gaining approval (which may surely have been lost through refusals to meet mother's wishes and demands, with subsequent guilt arising from feelings of hostility towards the object of their love). What is there so different here from the situation in our school for the emotionally immature child? Here again he refuses demands, is conscious of inadequacy, has hostile feelings and guilt thereafter.

The educational field seems to us to offer a wide variety of means by which restitution can be made (there is so much ' making good ' to be done in terms of word building, writing patterns or rows of figures), and that this aspect is present in school work has been more than confirmed by our experience here. If the attempts of little children at restitution be unrecognized (as when a child pulls a carrot from the earth and puts it straight into his mother's stew), how much less likely are those of older children to be appreciated in their true light? We have here, for example, a boy adopting the role of a tender and indulgent mother towards a much smaller child; from what we now know of him it seems fairly clear that he is acting the part of his own mother making restitution towards her rejected child (himself).

' Normal ' children can more easily tolerate the frustrations and demands of moderate discipline, including such punishments as may be regarded in the light of enforced restitution since this is, in fact a pattern already accepted by them in the course of development (during weaning and habit training for example). Should, however, their first experiences have been very unsatisfactory, such a clear pattern will not have been formed, although so strong is the trend towards restitution that I suspect that there are frequent cases of distorted attempts to make amends which may even be actually anti-social in character and by no means easy to recognize. Restitution may not be the only component of such attempts.

By way of example we may quote from the case of a boy of whom we recently heard who was playing with a clothes line when his younger brother was drowned elsewhere. The death of the younger brother was in no way the child's fault, nor was this suggested by the parents, but subsequently there was a startling change in his personality, and very aggressive behaviour became apparent (he had hitherto been a very gentle child). Among other episodes there was one in which he tied up a cat with a piece of rope in a way that seemed cruel. It is possible, however, to detect in this incident an element of restitution; a discussion of his problems in the course of treatment revealed that he felt that he could have saved his little brother with a rope.

When attempts are made to enforce restitution on children with a very abnormal history of emotional development, resistance seems natural: the child has been either building up a strong resistance to his own wishes to make restitution, or he has already satisfied these deep wishes by finding some distorted way of making restitution which will not be recognized as such by others nor, indeed, by himself. He will, therefore, be unwilling and unable, at first, to adopt a new pattern of response. These are the children who frequently find their way to a school for maladjusted children, and it will be readily appreciated that punishment has no place in their treatment. They need opportunities for destructive activity and for making restitution in their own way. The form which both will take depends very much on the child's particular personality and history.

We have found such children behaving in an anti-social manner, damaging, breaking, stealing and the like, but so very secretly that both the anti-social acts and the restitutive activities go unrecognised. We therefore find it essential to allow ample scope within the framework of the unit for aggressive behaviour, at the same time to provide opportunities for various forms of restitution from which the particular child can choose. We do not approve and do not adopt any attitude which might suggest that we approve of damaging behaviour; nor de we identify ourselves with the child's aggression by an over-permissive attitude which may suggest approval; but we do accept this behaviour as a necessary step in a process leading back to the meeting of demands and prohibitions of normal life. A small girl said to me recently, ' Whenever I've been pinching a lot from the larder, it's funny the way I want to work the washing machine '. An older boy, having stolen and opened a tin of plums from the larder, proceeded to give some to a five-year-old, providing a bowl and a spoon in the orthodox manner. A girl, having stolen some money from my bag, polished all the furniture in my room. In none of these cases did the children consciously relate the atonement to the desire to make restitution,

although it has become relatively easy to guess what type of aggressive behaviour has taken place merely by reference to the means of restitution chosen by particular children. I cannot see why it should always be necessary for this kind of reaction to be consciously recognised as such either by the grown-ups or by the children concerned.

It is impressive to note how real and effective a hostile wish may seem to the ill-wisher. I have seen children at the Bush make actual amends for fantasied damage, this among themselves and in everyday situations. The tacit acceptance of such atonement whether offered by a grown-up or a child, is often surprising and interesting. Parents who come here frequently make such restitution to their children, who may give clear indication that they appreciate the nature of the action. For example, a boy has said to me, 'Mummy has sent me a big parcel because she hasn't been to see me lately. When she has been to see me she feels a small one is all right'. Children also show themselves aware of such needs in their parents by making suggestions as to the form the restitution should take, suggestions which may give clues to the relationships existing between parent and child. Sometimes the mother's problems seem to put the child in a position to demand appropriate restitution on her part. We know an adolescent boy who did not receive much care from his mother in babyhood and now makes demands on her exactly comparable to those of infancy—he demands from her money, physical care, special meals at odd times, indulgence, comfort and consolation for the smallest trifles; while she, weighed down by feelings of guilt, is thankful to acquiesce in these demands in the hope of making restitution for the early deprivations.

I feel, therefore, that by punishing, that is to say enforcing restitution in some specific form on the disturbed child, the adult may not meet the particular child's needs. He has, in fact, particular things he needs to give as well as to receive. By enforcing the specific form, the grown-up may be replacing the process of atonement natural for this particular child by an artificial form. It is not really necessary for the grown-up to know just how the child will make amends, if only he can accept the fact that this will inevitably take place sooner or later, in some form or other. Given a favourable environment, most disturbed children will seek means of atonement suitable to their particular personality problems, and since 'make the punishment fit the crime' is a well established slogan, we would suggest to teachers and parents this alternative, 'let him who does damage in his own way make good in his own way'.

To sum up, I would suggest that punishment not only anticipates but hampers and probably blocks the natural process of restitution, thereby preventing the further process by which the child may direct into construc-

tive channels the hostile feelings which have led to the guilt and the need for making restitution. Restitution would seem, therefore, to me to be a mechanism which may be outgrown as the need for it is removed; enforcing it by artificial means is like using aperients in preference to a healthy diet.

We must now consider some varieties of damage which we encounter in the course of work at the Bush, together with the types of restitution we have been able to observe. First of all there are the children who smash windows, bottles, cups. There are two types of smashers, the child who screams in a tantrum 'all right, I'll smash a window' and does so, and the child who smashes quietly and secretly. We have a boy here who smashes a bottle nearly every day in a particular flower-bed. There are the 'scoopers' who scoop holes in plaster: in this group are often to be found the children who cannot make relationships—the frozen children. The true tearers are always girls; they tear their own clothes, sheets, counterpanes, etc.; boys may tear, but usually with a practical end in view. Bed-breakers are another class; not all children vent hostility on their beds, but certain younger boys here tear beds, as it were, spring from spring. Destruction of educational material deserves a discussion to itself. The clean, tidy teacher and the dirty, untidy child, the clean, tidy text-book and the dirty, untidy exercise book have obvious connections.

Tearing of paper increases in the summer months, and the attack on walls and glass lessens. Plants may be pulled up, but not the plants which the children grow themselves. Branches are broken off trees, but this kind of destructive behaviour meets with disapproval from most of the children. It is perhaps worth mentioning the case of an enuretic who actually removes the rubber sheet in order to wet the bed. Tables and chairs seem to get broken through sheer hard use rather than deliberate damage; cutlery may be burnt or buried; our losses in knives are extremely heavy. Pictures pasted on the walls are torn or defaced fairly soon, usually by small children. However, three posters of flowers have remained on the walls for a year, and a row of posters depicting cheerful babies marching along, which was pasted on the wall beside the stairs, has never been damaged in any way during the same period.

Books are preserved astonishingly well by the older girls, but seem to fall to pieces in the hands of boys, and are the objects of savage attack by the very young of both sexes, who tear them up and burn them. Fires lit by adults are put out by groups of younger children (their own fires, however, survive). Tins of fruit may be pierced with penknives, bags of flour are stabbed, and the inside of a loaf of bread may be scooped out. Eggs are smashed, hairbrushes, clothes and shoes are burned on bonfires, door handles are removed, and locks are broken. This sounds like whole-

sale destruction, but let us consider the other side of the picture. Not all the damage is done by all the children all the time; certain children do certain damage at certain times. Children who are recovering show great understanding of damaging behaviour of newcomers. The sum total is by no means disastrous, and we see to it that our equipment is either unbreakable or cheap and quickly replaced. What we have of value is kept out of harm's way.

The spontaneous restitutive activities we have observed are as follows:— Children help with the housework (bed-making, sweeping and the like), they wash up, do laundry, wash floors or paint, distemper walls, paint woodwork, mend holes in plaster, repair beds, light fires, make cups of tea for grown-ups, give parties to other children, comfort and care for small ones, look after animals devotedly, save up and spend money on parcels to send home to their families, make themselves very clean, decorate rooms, do jobs of all kinds for people from whom they have stolen (refusing to be paid), produce abnormally clean and tidy work in class, do carpentry (children have told me that wood used for carpentry 'is a tree broken up'), make bowls of clay, etc., for presents to mothers, grow flowers and vegetables which they present to the staff, buy or cook food for grown-ups ('Here's a cake for the gang'). It does not follow that a bed-mender emerges from a bed-breaker. Although this is quite likely it is just as probable that he may be an ardent colour washer. The girl who steals from me may not return the money, but she is quite likely to buy me a bunch of daffodils and subsequently be able to speak of the theft and speculate as to its cause. These attitudes have proved perfectly acceptable to our domestic staff, who have the understanding which comes from human warmth and satisfactory experiences.

In conclusion, I would refer to the attitudes of visitors of all kinds, from parents to students, towards the damage which we allow to take place at the Bush. Parents who have had experience of their child's destructive behaviour, and have often used many forms of punishment mostly need and receive reassurance; they can face the fact 'here it doesn't matter as it would in your own nice home'. It is essential that we should help to relieve their sense of failure. The fact that 'this is different' is comforting to them; we are not in competition with the child's home; we speak therefore ruefully to parents of the damage done, of the mess and untidiness, at the same time stressing the medical care, the good food, the outdoor country life. We do not suggest that such destructive behaviour should be tolerated at home; on the contrary, we sympathize with the parents' difficulties. It is one thing to discuss the need for tolerance in the matter of wet sheets : it is another to wash them. When clothing is wilfully

destroyed we replace the garment; when parcels or presents are stolen, we buy others. Where visitors other than parents have to be considered, our comments and explanation depend on the nature of the guest. The truth is really invaluable; e.g., to an official who asked, 'Why don't you lock your larder?' it was possible to say, 'Because then the children couldn't steal food'. It is one thing to note a broken window, but a different matter to learn that Tommy who broke it has an abnormal E.E.G. We can point proudly to a missing brick at the top of a chimney and say, 'Ah, yes, that was Georgie in his early days, when he started going up rather than out', especially as we can talk of the Georgie of today who comes to visit us during his school holidays, and was described to us recently by his Headmaster as 'such a nice boy'. Some of the most interesting comments we hear are rationalizations made by visitors who are unwillingly attracted to something utterly strange and upside down. A Chairman of an Education Committee remarked, 'I know what it is that I like about that place, it's exactly like a public school'.

The length of the damage-making phase varies considerably in different cases, but it seems reasonably short.

As children recover, and their feelings of guilt are relieved, they have less need to make exaggerated gestures of restitution; they help in quite a different way. It is difficult to define this difference, but one is aware that there is no longer an inner compulsion; they tend to ask for a job with pay and do it reasonably well but without desperate zeal. They have passed their *Sturm und Drang* period, and this is apparent in their attitude towards people as well as to things; once a charming delinquent boy, who had a history of a long series of unsuccessful foster homes, said to me at this point in his progress, 'I've got a new name for you, I'm going to call you Mrs. Grumps because you don't have to be wonderful now'. It is the necessity for this weaning stage which indicates how essential it is to have mature workers who can rejoice to find themselves superfluous.

Summing up: there are various types of restitution. Firstly, the enforced restitution which is punishment; secondly, the restitution for which means can be made available; thirdly, the fantasy restitution which is carried out by the child in so distorted a way as to be unrecognizable; fourthly, the spontaneous restitution which the child will tend to make according to his own needs. We feel that a school such as ours must be able: — (a) to make restitution available in various forms, (b) to recognize fantasy restitution as a step towards reality restitution, (c) to permit aggressive and destructive behaviour under controlled conditions in order to make possible the return to restitutional trends, with the consequent uncovering of basic feelings of hostility released by making restitution and relief of guilt feelings.

THE CASE OF THAKUR KHUMAN SINGH A CULTURE-CONDITIONED CRIME

By G. M. CARSTAIRS

In this paper it is proposed to describe and to discuss briefly the sociological background of a case of double murder which took place in a Rajput village of northern India some four and a half years ago. The victims of the crime were a young man called Amar Singh, and his wife, who was pregnant at the time: the aggressor was Amar Singh's elder brother, a petty landlord called Khuman Singh. The facts and opinions here cited were learned by the writer during a ten-month stay in the same village in 1951, in the course of an investigation of the up-bringing of high-caste Hindu children, and their subsequent personality development.

The writer's professional bias is towards the study of abnormal psychology, but he does not claim in this presentation to be able to account for the precise motivation of this particular crime: to do so would have required much more prolonged contact with its author than the three interviews of three hours' duration which were made possible by the courtesy of the Superintendent of the Central Jail, Jodhpur. But it is hoped that among the multiplicity of causal factors he can show some at least which can be identified with confidence, and related to the economic, social and cultural setting in which the events took place. Thus, even though all the individual and idiosyncratic elements of the crime cannot be comprehended in a short account, one can, the writer believes, say this much: that the crimes bore the stamp of a cultural pattern—if a man like Khuman Singh were impelled to commit a murder, then this is the sort of murder one would expect him to commit.

In order to justify even so limited a statement, it is necessary to understand this Thakur's position in the social setting in which he spent his whole life.

Physical setting

The village of Delwara lies in a valley seventeen miles north of Udaipur, the capital of the historic Rajput state of the same name. At the time of the crime Khuman Singh inhabited his house in the village, while Amar Singh and his wife lived in a small house built in the open fields, a mile away. The fields in which this house stands were the joint property of Amar Singh, Khuman Singh and a third brother, Vijay Singh, who was

at that time in the army. The family possessed, apart from these fields, a hereditary grant of land situated in the hills, some fourteen miles away, ownership of which *jagir* was vested in Khuman Singh as the eldest son.

Socio-economic setting

For many centuries the dominating influence in this region has been the autocratic rule of the Rajputs, the warrior caste of Hinduism. Delwara village itself was the seat of government of a *Tikhana* (comparable to an earldom) granted by the *Rana* of Udaipur to one of his leading nobles in return for services in war. The ruler of Delwara, a Rajput of the *Jhala* clan paid a nominal tribute to the Rana and served him with personal attendance on a number of days each year. He in turn drew a revenue of about 100,000 rupees (£7,500) annually from his *tikhana*, partly in the form of the produce of his privately-farmed fields, but mainly from rents for such fields as were leased, and as tribute from numerous subordinate *Jagirdars*, many of whom were Rajputs of his own clan: Khuman Singh was one of these.

Among the Rajputs the rule of primogeniture operates respecting these hereditary grants of land, which are handed down intact, together with the father's rank and authority, to the eldest son. This does not apply to fields and other property independently acquired. This, on the death of its owner, is shared equally among the sons.

The possession of a *jagir* carries with it not only an assured income (derived ultimately from the rent paid by the farmers who cultivate the fields) but also an important status in the community. In former times each of these petty squires ruled with unquestioned authority in his village, and in the remoter parts of the state this is still largely true. All important disputes and decisions are settled by the *Jagirdar*; it is he who organizes measures of defence against bandits, and is the village spokesman in dealing with rulers of higher rank.

This is the traditional form of government in Rajasthan. In theory it has already been superseded by the decrees of the new democratic regime which was imposed upon the bewildered Rajput rulers immediately after the withdrawal of the British in 1947; but in fact the new forms are as yet too little understood by the country people to have gained universal acceptance. In small villages the *Jagirdar* is still the embodiment of authority, over no matter how small an area. To the distinction attaches a pride and prestige often quite incommensurate with the economic position of the *jagir*. One Rajput, an educated youth, impatient of this conservatism, put it thus: 'You find them all round here in the villages, *jagirdars* of fifty rupees, of ten rupees, of two rupees: with us *jagirdari* is like a disease!'

In the larger centres, such as Delwara village itself, the reality of the change is painfully apparent. Here the ruler has lost his powers of collecting revenue, his law-courts, and the greater part of his income. His once busy palace is half-deserted, and literally hundreds of his servants have had to be dismissed. With the annihilation of the old autocratic order the whole system of *jagirdari* has been undermined, and the ownership of fields in one's own right has become suddenly of primary importance.

Cultural setting

The Rajputs have a vigorous and articulate tradition of their communal history and their cherished values. This may best be indicated in terms of (a) values contrasting their caste with the other communities of the area, and (b) values whose significance bears on relations with members of their own caste. In the first category priority must be given to the basic belief in their divine obligation to be rulers and warriors, ready to fight in defence of their religion, and of the land which has been entrusted by fate to their protection. Coupled with these obligations goes consciousness of their exalted rank, and of those distinguishing customs which set them apart from the other Hindu castes. As warriors they are privileged to eat meat and drink wine; as heaven-sent rulers they cherish above all the 'purity of the blood'; they exercise the greatest care to prevent their women from being contaminated by contact with the outside world; and they do not tolerate any cordial relations with members of the lower orders unless their own superiority is first explicity acknowledged.

Inculcation of these values is deliberately practised from an early age. The writer was present on one occasion when a powerful *Jagirdar* was putting his four-year-old son through a sort of catechism: 'If farmers don't obey, what's to be done?'—'Shoes', lisped the boy. 'He means, Sahib, beat them with shoes. And if they don't obey shoes?'—'Guns'. 'And if they don't obey guns?'—'A sword'.—'There, you see, Sahib: it is in the blood'.

In this region the Rajputs' most bitter hostility is directed against their only formidable rivals, the merchant caste, who are here almost all of the Jain sect. Jains abhor the taking of life and reproach the Rajputs for their hunting and meat-eating. The Rajputs retaliate by reviling the Jains as gross, materialistic unclean people, who excuse their reluctance to wash with the pretext that they might kill small insects if they did so; and they contrast their cowardice and duplicity with the Rajput's own more forthright characteristics. At the same time this hostility normally is denied open expression because the Rajputs (as well as all the lower orders) must

continually have recourse to the services of the merchants as money-lenders, to meet the sudden demands of expenditure entailed by a death, or a marriage, or the birth of a son. The murderer Khuman Singh was no exception to this rule. He expressed surprise at the fact that several merchants came forward at his trial to give evidence against him: 'I was always friendly and willing to talk with them. Only, it was my habit to speak plainly, without fear. When I thought one of them was being dishonest I said so without concealment'.

Towards the priestly caste of Brahmans, the Rajuts display a gruff respect, not unlike the attitude of an English squire to the vicar of his parish. They are loyal, conservative supporters of Hinduism, without, for the most part, troubling to inquire too deeply into the subtler tenets of that religion. Each Rajput house does however have a specially close affinity to the Goddess, in her aspect as Destroyer. In the Vedic legend it was the Goddess who rescued the holy men from the importunities of the Demons; and each year the nine-day sacrifices, culminating in the festival of *Dashera*, in honour of this event, are observed with particular zeal by Rajputs. At this season every Rajput head of a family will offer the sacrifice of a goat or a young buffalo to the Goddess-image which he keeps inside the house. It is exceptional, however, to meet Rajputs who have become deeply involved in the self-denials and austerities which are associated with spiritual advancement in Brahminical Hinduism. Those who do are most often younger brothers, or persons who have experienced a severe set-back in their material careers. An example of this is the present Ruler of Delwara, who has reacted to the collapse of his power and fortune by a novel absorption in prayer and self-discipline; and this also has been the case with Khuman Singh, who devotes the greater part of his waking day in prison to repetition of the names of God.

A corollary to the Rajputs' belief in their sacred elevation by virtue of being born into their rank, is a disregard for all the lesser orders who have not been so distinguished. Until recent years *Jagirdars* did not hesitate to put to death any man who opposed their wishes. One heard numerous anecdotes of peasants whose disrespectful manner towards their masters provoked outburst of ungovernable fury. Thus, a senior *Jagirdar* described how he was rudely accosted by one of the Rana's game wardens, in a royal game preserve: 'I said, "If you come one pace towards me I shall put a bullet in your head". I should have shot him just like a black buck—a man or a black buck, it is all the same to me'.

A similar incident happened to the grandfather of Khuman Singh, one Ummed Singh, when he was out hunting. His manservant had provoked him into a bad temper, and aggravated this still more by sneezing just

when the master was about to fire at a hare, so that he missed. He was so furious that he turned his gun upon his servant and shot him.

In brief, the Rajputs' relations to their neighbouring communities may be summed up by saying that they are privileged, proud and tyrannical, and that they justify their exalted position by the responsibilities which they traditionally assume. Within their own community certain other emphases are apparent.

The training of a Rajput youth starts early and is both deliberate and prolonged. His early months of life are spent inside the secluded world of his mother's quarters, and there his mother and her women servants lavish constant attention on him. He is nursed whenever he feels hungry, and there is always someone there to console him at the slightest cry. From the very beginning, however, his father remains in contrast a colder, more formal figure. Rajputs consider it improper for a man to display affection for his child in the presence of any onlooker, and the effect of this restraint is to make it difficult for a father ever to enjoy a relaxed and friendly relationship with his children. As soon as the infant is able to walk and make his way through the curtain which separates the male part of the household from the *zenana* this early contrast becomes more emphasized. In the man's world the authority of rank is the most important thing, and the father, if he is the head of the house, shows himself to be the supreme authority to whom everyone defers. If the child is the son of a younger brother, as is often the case when brothers live on in their father's old home, then the boy sees that his father also has to give unquestioning obedience to the head of the house; and if there are two boys the younger is taught never to challenge his brother's ascendancy. In great part he learns this without formal instruction, by observing the invariable rule that to keep out of trouble one must defer: that any challenge to authority unleashes Father's terrible wrath.

As soon as the child can talk, however, his explicit indoctrination begins. He is tended by men servants during his early years, and in the case of a wealthy *Jagirdar* these will themselves be Rajputs of subordinate rank: and it is their constant flow of encouragement and instruction and flattery which moulds the growing child's ego-ideal. In addition, as he grows older, he will come to appreciate the periodical visits of his family's *Charan,* or hereditary bard, whose heroic verses—in part traditional, in part composed to flatter the reigning head of the family—underline the Rajput ideals of manhood. He will be shown examples of heroism in hunting, and in war: and the emphasis will be on reckless self-abandonment. There are many such instances of individuals who launched themselves against impossible odds; and indeed this suicidal self-dedication

is formalized in the custom of the *johar*. When a Rajput force found itself hopelessly outnumbered its warriors used to put on saffron robes, like those worn by Hindu ascetics who have renounced the world, and ride out against the enemy to fight to the last man: and at the same time their wives, similarly clad, would burn themselves alive on a communal funeral pyre.

Such desperate vehemence contrasts strikingly with the calm Hindu philosophy of non-attachment; but it is related to the latter by the Rajputs' distinction between *gussa* and *josh*. *Gussa* means that sort of anger in which one is swayed by personal motives, whereas *josh* means self-forgetful frenzy of action for some ideal cause. In practice, however, the socially applauded berserk rage can easily become a cloak for selfishly-motivated action.

Prestige is most closely associated with noble birth (which is believed to be the reward of merit acquired in former existences). As a senior noble quite candidly put it: 'The finest thing is to be born a Rajah!' The first measure of every *Jagirdar*, great or small, is the amount of land over which he rules. He may add to his prestige by marrying into a proud clan, or by adding to his private property, or even by distinguishing himself in a military or professional career; but he never transcends the limitation of rank defined by the size of his *jagir*, unless his Rana elevates his rank in the nobility with a new grant of land and titles. There is only one serious threat to this settled assurance of prestige, and that is the besmirching of his (and consequently his descendants') good name. There is a saying: 'Compared with disgrace, even vice is to be praised'. This epitomizes the Rajput concept that a Ruler can do very much as he likes in relation to his subjects and subordinates: it is only by defying a superior, or allowing oneself to be humiliated in the sight of one of the lesser orders, that serious disgrace is incurred. Thus, when Ummed Singh, the grandfather of Khuman Singh, had committed a second murder, he was arrested on the orders of the Ruler of Delwara, and led in handcuffs through the bazaar. He was prepared to accept whatever punishment the Ruler decreed, but this humiliation was so degrading to him, that, even though in chains, he tried to kill him whenever he saw him pass. In general prestige is something which cannot readily be added to, but which has to be jealously cherished and emphasized if it is not to be impaired.

Points of stress

In Rajput households there is a noticeable tension between the father and his eldest son, as the writer was able to observe in many instances. A Rajput informant told him, in the most matter-of-fact way, that a neigh-

bouring prince never ate a meal until half an hour after one of his nobles had tasted it: he was afraid of poisoning instigated by his heir. In comparison a father is usually gentler and more affectionate towards his younger son: but this is conditional on the younger son's 'knowing his place'. A man's grandchildren are also treated with indulgence. It is significant that the memorial which perpetuates the name of a Rajput chief is erected, not in the lifetime of his son, but by his grandson, when he in his turn succeeds to the position.

Still greater tension exists between the eldest son and his younger brother. This is customarily resolved by the complete subordination of the latter to the elder's authority, but there are many instances of open conflict between the two: one of the most famous concerns the national hero of Udaipur (indeed, of all India) called Rana Partab, who is remembered as having offered heroic resistance to the great Akbar. Rana Partab's young brother quarrelled bitterly with him and actually fought with Akbar's army in the crucial battle of Haldi Ghat, quite near Delwara village: but when he saw his brother attacked by two Moslem soldiers he intervened and saved his life, and they were reconciled.

In the normal situation, where the younger brother remains subservient, he does so often with concealed resentment. One younger brother, who knew some English, expressed it in these words: 'Their great fault is this: they think of themselves as lords, and they think all those like younger brothers as inferior, very mean-type fellows. That is bringing them down'. The tension weighs even more heavily on the elder who has continually to assert his authority, as if to seek reassurance from the show of deference of those about him that his position is still secure.

With regard to the extremely high standards of heroism which Rajput tradition sets before him, the Rajput lives in a state of boastfulness and uneasy compromise. There are so few opportunities nowadays to be reckless and brave: small wonder if he secretly fears that he may not live up to expectations. One resort is to explain that Rajput blood is too precious to be expended in an unworthy cause. For example, if a Rajput saw from his shooting-box that a leopard was mauling a low-caste beater, he would look on unmoved: but if it were the life of a Rajput prince that was in danger, then he would be bound to leap to the ground and engage the beast with his sword, or if need be with his bare hands. All the time, with their imaginations inflamed by recollections of past heroism, the present-day Rajputs indulge in day-dreams of imaginary feats of the same kind: but in practice, their rage is usually turned against some subordinate who does not dare to retaliate. There still remain three genuine outlets for this demonstrative bravery: in the army, in hunting, and, for a few, in dacoity.

Personal History of Khuman Singh

Every village informant, in telling me about this, offered a similar version: 'Of course, murder runs in that family. You know, his great grand-father killed a man in anger, and his grandfather, Ummed Singh, killed one of his servants, and went into exile for some years. Then, when he returned, he found his wife had been unfaithful. So he said nothing at first, but told her to put on her finest clothes, and to order her favourite dishes to be prepared: and when she had had her meal, he took up his gun and shot her'. In punishment for this second crime, the Ruler of that time declared Ummed Singh's *jagir* to be forfeited and deprived him of a number of his private fields. The *jagir* was later restored, but not the fields.

Khuman Singh's father was mentally unbalanced, being subject to accesses of manic excitement, in which he would accuse his wife of having caused the death of his first-born son (who was accidentally drowned before Khuman Singh was born). It was his wife who had to work to bring up her three sons and one daughter; the father was capable only of tending their herd of goats, an occupation usually delegated to children. He was, however, of a very religious turn of mind, and particularly liked to read aloud from the Bhagavadgita, or listen to it being expounded. He did his muddled best to bring up his sons properly, and when Khuman Singh was in his teens he received several beatings for promiscuity with low-caste girls; but when he became full-grown his father was too feeble to influence him further. His mother died when he was 18, and his father three years later. The family *jagir* then passed into his hands, but the income which it provided was too small to maintain a family, and by this time Khuman Singh was married. He went to Udaipur, and worked for five years as personal servant to a wealthy Rajput. His brothers Amar Singh and Vijay Singh also left the village to seek employment.

In his early years Khuman Singh was much influenced by two older men in the village, one the factor of the old Rajput dowager who took care of the boys after the death of their parents, and the other a local holy man. Their teaching induced him to consider taking up the religious life, but at the same time he was very fond of the pleasures of a young Thakur, drinking heavily and summoning prostitutes to his house: so it was only fitfully that the prospect of asceticism attracted him. His first wife died, but he soon married again, and now has two sons and two daughters.

In 1944, while he was still employed in Udaipur, he contributed money to enable Amar Singh to get married. For a time both brothers lived in their father's house in the village, but Amar Singh later expressed a wish to have a separate household, so they built a dividing wall and each family

lived and ate in its own half. At this time Khuman Singh tried to farm what remained of the family fields, but he became subject to fits (the result of years of heavy drinking; they cleared up completely in prison) and had to give this up. At this point, Amar Singh insisted that the family's privately-owned fields should be divided equally among the three brothers. This was done, and Amar Singh and his wife went to live in a house which the two younger brothers built jointly out in the fields.

Khuman Singh was now employed as a personal servant to the Ruler of Delwara and Amar Singh had a job in the adjacent village of Eklingji, but also cultivated the fields of all three, sharing the produce with his brothers. It was from this period, according to Khuman Singh, that his younger brother began to harbour a grievance against him, accusing him of having cheated him of his fair share of land, and threatening to kill him. As Amar Singh was the more powerful of the two, Khuman Singh became afraid to go alone into his fields. Their last dispute was over the sharing-out of the hay which had been cut on their small hill slope. This went on so long that the Ruler himself advised Khuman Singh to let his brother have as much as he demanded, as it was foolish to quarrel over so small a matter. On the day of the crime, the two brothers went together to the disputed field and quarrelled violently. According to Khuman Singh, his brother made a murderous attack on him: he defended himself with a pruning-hook, and mortally wounded him in doing so—and then he lost consciousness in a fit. When he came to, he went to the village police post and gave himself up.

This was not a perfectly candid account, because in the trial it was shown that after killing his brother he went to his house in the fields, took up a sword which was kept there, and cut to pieces Amar Singh's wife, who offered no resistance. News travels fast in a village: when Khuman Singh reached the police post, a young Rajput was there, a friend of Amar Singh's called Partab Singh. He must have reproached him, because Khuman Singh remembers saying to him: 'All right then, if I have blackened my face, do not look upon it, look another way'. A few moments later he started up, meaning to kill Partab Singh as well, but the police restrained him.

Interplay of Social and Personal Factors

In this brief history certain elements are loaded with a special Rajput emphasis. The first are Khuman Singh's rôle as *Jagirdar* and as head of his family. The former conveyed an unchallengeable status, but the latter could be modified, once his brothers were of age, by their insistence on a division of the joint family property. Until Amar Singh demanded this,

Khuman Singh had exercised complete control over the income of the whole family. The separation of the brothers' households accordingly, not only diminished his financial standing, but implied a repudiation of his authority over the families of the other two. As has been indicated, a Rajput who feels his authority challenged, whether by a menial or inferior kinsman, is apt to release unmeasured aggressive impulses upon the source of the provocation.

Next comes the familiar tension between the oldest son and the younger brother. In this case the latter did not take easily to the rôle of self-effacement: he even gave up working for the powerful Ruler of Delwara because he disliked the constant show of servility which such a post involves. Until he married, Amar Singh expressed his independence by living and working elsewhere. It was his young wife who prompted him to make explicit demands on his elder brother -and this was doubly aggravating because a younger brother's wife is supposed to efface herself completely, never to let her voice be heard in the presence of her senior brother-in-law.

This impious challenge from Amar Singh was known to have profoundly exasperated Khuman Singh, who discussed it with others, including the Ruler of Delwara himself. There is no doubt that it gave rise to prolonged resentment, which found expression first in paranoid projections of threats supposedly coming from the younger brother and ultimately in the crime.

It may be argued that although a cause for resentment was there, the violence of his behaviour was attributable purely to personal factors, such as his alcoholism and his psychopathic heredity: but against this, two testimonies must be set. Firstly, his fellow-Rajputs in the palace service regarded him as a hard drinker, but no more so than themselves, and several who saw him on the day of the murders agreed that he was then quite sober. Secondly, he was generally known as a man who was pious and mild-mannered, rather than unduly quarrelsome: and yet he could wield a powerful sword. The Ruler used to signal him out as the one to decapitate young buffaloes, each with one clean cut, on the occasion of the Goddess-sacrifices. His murders were a sudden berserk outbreak: and as such they conformed to the tradition of Rajput recklessness, more than they did to his own hitherto unremarkable career.

Other versions of the crime

The killing of Amar Singh was witnessed by one old peasant who was terrified and ran away, and no one saw the killing of the wife, but this did not prevent my being given the most circumstantial account of both

crimes by a number of informants. Each gave the telling his own personal emphasis. Thus, a friend of Amar Singh's insisted that it was Khuman Singh who was the more aggressive in their quarrels. He would always carry a knife, and used to say in his cups that he would kill his brother one day. He killed Amar Singh's wife and her unborn child simply in order to ensure a better share of the inheritance (this means the disposable property, not the *jagir*) for his own children.

The younger brother of the Ruler remembered the day quite well. According to him, Khuman Singh was not drunk, but killed his brother in a fit of rage. Then he went to his house, and the young wife stood aside, because a girl has to show great deference before her older brother-in-law. He told her what he had done, and that he was going to kill her next. As he struck her she said: 'Now am I happy'.

According to a third speaker, himself a Rajput younger son: 'He was very strong, Amar Singh. If he had used all his strength he could have killed his elder brother: but he did not fight back, and he did not run away. He said "You can beat me if you must". So we can admire the quality he had in his mind, and the respect he had for his elder brother'. Of the murderer he said: 'Before this event there is no doubt he was a very very gentle man. He was always ready to help anyone in trouble. But that day, God knows what was in his mind'.

No one condoned the action, and yet I heard no Rajput execrate it either. They referred to it calmly as if it were a natural catastrophe, or the result of an uncontrollable brainstorm. Two of them said regretfully that if he were fated to commit murder, what a pity it was he had not murdered some of these Congress politicians, the scourge of the *Jagirdars*, instead.

Sequel to the murder

In prison, where he is now serving a 24-year sentence, Khuman Singh devotes all his spare time to the religious life of celibacy, abstinence and meditation, which he has for long admired in theory. He is a model prisoner, quiet and obedient, and has already been appointed an overseer in the workshop where long-term convicts manufacture carpets. He co-operated readily in the series of interviews, talking at great length about his own and his family's past history. At the conclusion of the talks he asked me to obtain three things for him: a pair of shoes from the bazaar, a Hindi book containing a thousand forms of praise of Lord Krishna, and a rosary of 108 beads. He asked for news of his home village, and sent formal greetings to his surviving brother: 'Say I am sorry that I have brought such troubles upon his head'.

To the Ruler of Delwara he sent his loyal salutation, asking his kinsman and lord to forgive his great offence and mercifully to extend his protection to his children. This message was duly conveyed, and the Ruler said : ' Yes, that it just what he would say as my *Jagirdar*. He was always a very good servant to me, and a quiet man ; in fact he was a religious man. I was quite surprised when he did that thing '.

Conclusion

In this brief account of the antecedents of a violent crime the writer has focused attention upon certain significant elements of the social setting in which it occurred, especially upon those features of a Rajput's upbringing which give rise to acute inter-personal tensions and which sometimes find discharge in acts of blind, suicidal ferocity. To the Western observer one of the astonishing features of the case is the calmness with which it is accepted by his caste-fellows ; and the clue to this lies in the fact that, arbitrary and excessive though his behaviour was, it still conformed to the Rajput pattern of unlimited authority exercised by virtue of social rank. If the younger brother had killed the elder, then only would the crime have been truly execrable, and not merely to be deplored for its excess.

6TH INTERNATIONAL CONGRESS ON PENAL LAW

The ' International Association ' of Penal Law is organizing IN ROME FROM 27th SEPTEMBER TO 3rd OCTOBER its 6th International Congress. The questions for discussion are : (1) The protection by penal law of international humanitarian conventions. (2) The protection of the liberty of the individual pending trial. (3) The social and economic aspects of the penal law. (4) The problem of the unification of punishment, and of preventive measures.

This choice of topical subjects should lend to the discussions a scientific character of which the importance is self-evident.

N.B.—Should contributors to this Journal wish to send a report to the Congress, kindly inform the Assistant Secretary General, who will send the leaflet commenting on the questions for discussion.

Assistant Secretary General : Paul de Cant, 144 Avenue Admiral, Buyl, Brussels.

CRIMINOLOGY AND PENOLOGY IN WESTERN GERMANY

By THOMAS WÜRTENBERGER (Mainz)

1. *Criminality and Criminology*

The first objective of all investigations in the field of criminology and penology must be to evaluate the fact that the number of crimes has risen to a large extent since the end of the last war. Only when the origins of the different forms of criminality are known will it be possible to shape within the framework of a sensible policy the most appropriate measures for effective action under criminal law.

After the collapse of Germany in 1945 a crime wave threatened to swamp the country. The social and legal order was in great danger of disintegrating. Hans von Hentig was thus absolutely justified when he wrote in 1947, 'Crime in Germany has increased in frequency as well as in its outward forms, and stands by itself without any parallel in the history of the western nations'. A number of reasons are responsible for this tremendous increase in the number of crimes of various types. Some of these can be traced back to the national-socialist epoch and the war period. The most important factors since the end of hostilities are however those arising from the economic and social situation. It must not be forgotten that tremendous upheavals have taken place within the social structure of the community. Many classes have been reduced to absolute poverty. I need only remind the reader of the fugitives and refugees, large groups of whom can only be assimilated in the face of immense difficulties and are thus in dire economic need. The mass bombing of cities and towns and the influx of displaced persons increased the shortage of housing space. At least up to the monetary reform of 1948 food, clothing and fuel—to mention only the main items—were lacking; the RM (Reichsmark) had lost nearly all its value; food and textiles were rationed; in many instances consumer goods were hoarded by merchants and tradespeople and owing to lack of goods an extensive 'black market' developed. It is not astonishing that these exceedingly unfavourable circumstances led to a rising number of crimes. But in addition to this the moral attitude of the population and the belief in the necessity to abide by the law began to crumble. In particular, respect for other persons' property faded. Even people hitherto perfectly honest began to steal food, fuel, etc. The lowering of moral standards was most conspicious amongst juveniles, many of whom did not have a normal home or family life. The father was perhaps killed

or missing, the mother at work. Thus there was no care or supervision. The juveniles left to themselves strayed into wrong paths, leading them only all too often to crime, lewdness and a general state of neglect. Many of them tramped around the country, living by their wits, stealing and embezzling. Offences against property increased enormously in numbers after 1945. But also the amount of predatory crime, e.g., murder and robbery as well as the number of blackmail cases, increased. Even gangs – up to then practically unknown in Germany – endangered personal security in the country. New or hitherto unfamiliar types of crimes made their appearance. I need only instance the so-called 'truck-jumpers', i.e., persons who jumped on to slow trucks and threw some of the goods down on the road, so that they could be collected by the rest of the gang. Owing to conditions existing during the last stages of the war and shortly after the end of hostilities, cases of bigamy increased. Numerous cases of 'bogus' doctors (physicians), teachers and civil-servants became known, some of whom caused extensive damage to the public by their fraudulent activities.

After the monetary reform of June 20th, 1948, which again established a stable currency, the number of offences committed lessened perceptibly. Moreover a change in the structure of the different offences – i.e., the manner in which they were actually committed – was quite noticeable. The offences resulting purely from the circumstances existing prior to the monetary reform (black-market and similar economic offences) decreased most quickly. But also the number of cases of serious crime (murder, robbery) grew continuously smaller, even though their threat to the security of society had not been fully overcome immediately. It is to be regretted however that the general brutality and vulgarity is disappearing only very slowly.

Conspicuous changes came about in the group of offences against property. The so-called '*Sachwerte*' (i.e., consumer and other goods highly valued before the monetary reform, because they were rationed or only to be got at an exorbitant price) lost their significance and were replaced by 'money'. The latter item and goods of especially high value were again in demand and were often obtained by criminal methods. Thefts in banks and the activities of pick-pockets increased. Embezzlement and fraud having receded after 1945 again increased in frequency after 1948. Counterfeiting of bank notes increased and sometimes reached alarming proportions. Cases of arson, almost completely unknown before the monetary reform, are now again quite numerous. As in other countries, the various types of sexual offence have not diminished in the very least. Better nourishment and increased consumption of alcohol in its many forms have doubtless been important factors in this field of crime.

It is to be regretted that even to-day it is not possible to form a reliable impression of the development, trends and number of crimes in Germany since 1945. The division of Germany into four zones of occupation and these again into a number of—sometimes petty—'States' (Länder), slowly finding a new centre of gravity in the Federal Republic, accounts for the fact that only since 1950 have we had uniform criminal statistics. For the earlier years only a few of the States published statistical records and these were very incomplete. Any person who really wanted to gain a picture of the trends in crime in the individual States was in the main confined to statistics kept by the police—i.e., offences brought to the notice of the police, or to police reports and publications listing search warrants, etc. Following an extremely close investigation of this material the former Attorney-General, Professor K. S. Bader (now at the University of Mainz), has worked the whole subject over and condensed it in his book 'The Sociology of Crime in Germany after World War II'. This deals with the development and structure of crimes from 1945 to the monetary reform. It is supplemented by R. Jacobs' treatise 'Criminality in Germany after World War II', and by a number of smaller treatises and essays (v. references). In many cases crimes committed by juveniles are statistically collected and investigated in individual Court Districts. This narrowing of investigations to a single and not too extended area has the advantage that special cases can be studied in detail. The scientific interest taken in criminological problems in Germany is steadily increasing. At a number of Universities, e.g., Hamburg, Cologne, Bonn, Freiburg and Munich, Institutes for research in Criminology have been founded. Co-operation between professors working in the field of criminal law and psychiatrists and specialists in forensic medicine is encouraged. It is to be regretted that up to now it has not been possible to re-issue scientific periodicals like the former 'Monthly Review for Criminal Psychology and Reform of the Criminal Law' (Monatsschrift für Kriminalpsychologie und Strafrechtsreform) and the 'Archives of Criminology' (Archiv für Kriminologie). The 'Society for Criminal Biology' (Kriminalbiologische Gesellschaft)—founded in Graz, Austria, in 1927—has again taken up its work and held its first congress in Munich in 1951. Since 1948 a number of German criminologists have again taken part in the International Congresses held in Paris, the Hague and San Marino. A number of—sometimes very detailed and extensive—scientific books on criminology have been published in Germany since 1948. Special mention should be made of the third edition of the late Franz Exner's 'Criminology'. This volume in addition to adducing a wealth of material has the special advantage of skilfully combining sociological and biological methods. Professor E. Mezger—also from

Munich University—has published a short book ('Criminology') that conforms to a certain extent to his earlier 'Criminal Policy based on Criminological Principles' (Kriminalpolitik auf Kriminologischer Grundlage); the third edition was published in 1944. A singularly characteristic and extensive volume on 'Criminology' has been published by Professor Wilhelm Sauer of the University of Münster, Westphalia, which is in part based upon former publications of the author ('Kriminalsoziologie', published in 1933). The clearly written Textbook of Criminology' (Lehrbuch der Kriminologie) of Professor E. Seelig (Graz, Austria), is an extremely useful introductory volume. In accordance with the tradition of the so-called 'Graze Schule' (founded by Hanns Gross) it deals not only with Criminology in the strictly scientific sense of the term but also with 'Kriminalistik', i.e., methods for the detection of criminals.

II. *System of Punishments*

When after the collapse of Germany in 1945 the problem of reconstructing the German administration of Justice in the spirit of a democratic state had to be tackled, it became clear that the present system of punishment is passing through a serious crisis. The reasons for this are to be sought far back into the era of the national-socialist regime. From 1933 the German administration of justice—as far as the field of criminal law is concerned—degenerated more and more, as witness the increase in arbitrary actions and the undue severity of the sentences imposed by the Courts. After 1945 the pendulum moved in the opposite direction. Courts often enough passed sentences that were far too mild and hesitated to make use of measures like preventive detention (Sicherungsverwahrung). Only slowly did the administration of criminal justice develop into normal channels. This must not however obscure the fact that the traditional penal system in Germany is in dire need of reform. Already in 1946 a well known professor of criminal law, Professor E. Schmidt (Heidelberg), one of the last pupils of Franz v. Liszt, demanded a thorough reform. He was of the opinion that it was necessary to start from the efforts made in the years from 1919 to 1933 which had been cut short by the advent of national socialism. Schmidt demanded that every punishment must be just, and at the same time effective from the point of view of criminal policy. The main object must be resocialization of the offender. Only in cases where the criminal is highly dangerous or morally degenerate must punishment also aim at protecting society. Where resocialization or neutralization of criminals does not enter the picture other kinds of punishment must be substituted for imprisonment. Thus the earlier battle waged

in Germany against 'short term imprisonment' was re-opened. Imprisonment was to be replaced mainly by monetary fines, but also by new methods of punishment such as deprivation of office (if the offender is a member of the civil-service), forbidding the offender to exercise his vocation, or ordering him to work for the community, etc. Finally it was suggested that the so-called 'bedingte Verurteilung', i.e., an institution corresponding to the Anglo-American probation system, should be extended. In addition to all this, voices were raised for reform of prison sentences. It was recommended that the differences between prison and penitentiary should be done away with since both kinds of punishment as applied in practice to-day take far too little notice of the individuality of the offender. The main idea thus is that the educational purpose of the sentence should be given more attention.

Most of these suggestion and demands were thoroughly investigated and approved by the '*Arbeitsgemeinschaft für Reform des Strafvollzugs*' (working committee for the reform of the execution of punishments; members of this committee include not only University Professors like E. Schmidt, W. Mittermaier, R. Sieverts, Th. Würtenberger, Bürger-Prinz and C. Bondy, but also administrative officials specializing in this field). This committee had been founded already soon after World War I. Its prolific and fertile activities had ended in 1933 when the national socialist regime came to power. Since 1948 however the committee has again met several times and its recommendations for reform have been passed to the legislative authorities. Only very slowly has the legislation of the Federal Republic given effect to some of the afore-mentioned suggestions. It is thought that the time for a far-reaching reform of the criminal law and especially of the existing penal system has not yet come. The first aim of the legislature is to modernize the Criminal Code—dating back to 1871—as regards technicalities and terminology. Above and beyond this, at least some of the most pressing reforms—going back to plans made already before 1933 and making use of experience gathered in foreign countries—are to be carried out and embodied in the criminal law. In the first place these are the institutions of '*bedingte Strafaussetzung*' (conditional discharge) and '*bedingte Verurteilung*' (loosely corresponding to probation). These legislative reforms are being carried out separately for adults and for juveniles.

As far as the Criminal Code for adults is concerned the Cabinet of the Federal Republic has submitted the '*Entwurf eines Strafrechtsänderungsgesetzes*' (draft of a law to modify the Criminal Code) to the 'Bundestag' (the House of Representatives) some time ago. Of the numerous clauses of this draft the most important concern the institutions loosely corresponding

to the Anglo-American parole and probation systems. As in other countries it has been found necessary in Germany in suitable cases to refrain from passing a sentence or from executing it, and to give the offender the chance to prove his ability to conduct himself well during a specified period. For a long time, however, these ideas did not find any expression in German law. In order to give them effect they were incorporated in the '*Gnadenordnung*' (regulations concerning the granting of pardons). The '*Gnadenordnung*' with its manifold possibilities is however applied by the administrative instances of the Ministry of Justice (mainly the State-Attorney General's Office), not by the independent judiciary.

Owing to the fact that the right to grant pardons has been transferred to the individual States of the Federal Republic, the latter is debarred from this field. Consequently the application of these regulations varies widely from one area of the country to another. Now '*bedingte Strafaussetzung*' (conditional discharge) is to be laid down in a uniform code for the whole of the Federal Republic. It is to be regretted that, for reasons based on the principle that every punishment is intended also to prevent the culprit from committing the same offence again and to prevent others from committing similar offences, it has been decided not to introduce the Anglo-American institution of '*bedingte Verurteilung*' (deferred sentence). A deficiency of the system of conditional discharge in Germany lies in the fact that during the time the offender is tested he is not supervised enough; he is mostly left to himself and the remission of the sentence occurs more or less automatically. It is now realized—especially from experience gained in the Anglo-American countries with the parole and probation systems—that the social rehabilitation of the offender cannot be realized simply by the threat of executing the suspended sentence, but far more by looking after and helping him. Thus the draft enables the Judge to place a number of special duties upon the offender, for instance, making reparation for the damage caused by his offence. It is especially important that the offender should be placed under the supervision of a special officer, one of whose main duties it is to help him. Thus the final aim of this new institution is to bring about a reduction in the number of criminal cases. Should the offender have already served a part of his sentence, he can get a '*bedingte Entlassung*', which corresponds exactly to the American 'parole'. The offender is granted a conditional release, and if he makes good, will receive an absolute discharge from the balance of the sentence. This institution is to be organized in a manner similar to that of '*bedingte Strafaussetzung*'. It is significant that the decision whether an offender is to be put on probation or parole is to be placed in the hands of the Judiciary.

A draft providing a number of changes in criminal law concerning juveniles, i.e., the Criminal Code for Juvenile (RJGG), is also being considered by the legislative bodies. As in the case of the reforms for adults no sweeping or comprehensive reforms are attempted. Only the most necessary and urgent reform measures are to be carried out. These are, mainly, the inclusion of offenders from 18 to 21 years of age in the group of ' juveniles ', thus placing them under the respective code, and the introduction of ' *bedingte Strafaussetzung* ' (conditional discharge) and ' *bedingte Verurteilung* ' (deferred sentence). Only minor changes are to be made in the different kinds of punishment that can be inflicted on juveniles ; the same applies to the ' educational ' measures (*Erziehungsmassregeln*) that can be applied. If the system of ' *bedingte Strafaussetzung* ' (conditional discharge) is to be introduced now, this will only constitute a reintroduction, since the Criminal Code for Juveniles passed in 1923 had already included this measure. The Criminal Code for Juveniles passed in 1943—superseding the code of 1923—had however abandoned the system ; the resulting gap was to be filled by the ' *Jugendarrest* ', i.e., detention of juveniles up to four weeks. Even to-day misgivings are expressed regarding the reintroduction of ' *bedingte Verurteilung* ' (deferred sentence). It is felt that the seriousness of the whole proceedings under criminal law and the gravity of the crime for which the offender is brought before the Court will not be realized by the juvenile offender ; especially so if he should misunderstand the meaning of probation These objections can however be overcome if the system is given the necessary practical framework. In the first place this means that capable and trained persons are to be entrusted with the supervision of juveniles.

It is difficult however to decide in which form ' *bedingte Strafaussetzung* ' is to be embodied in the Criminal Code for Juveniles. The draft contains both institutions:

(1) ' Aussetzung der Jugendstrafe auf Bewährung bedingte Strafaussetzung im eigentlichen Sinn (' conditional discharge ') '. The Judge is empowered to suspend the execution of a sentence amounting to not more than a year's imprisonment. The Judge is to set the respective juvenile offender concerned a number of special tasks and give orders how the supervision is to be carried out so that a steady educational influence is guaranteed. The general conduct of the juvenile is to be supervised by an officer who is responsible directly to the Judge. If the offender does not carry out the tasks set by the Judge or conducts himself badly, then the Judge revokes the probation order and directs the sentence to be carried out. The main idea of the new institution is to save the juvenile offender from even the beginning of the execution of the sentence. It is however criticized

from another point of view. If the sentence is passed by the Judge then the offender—even if the execution of his sentence is suspended—is registered as previously convicted, which is a slur on his character. A reform of the penal register (Strafregister) will not be of decisive help in remedying this point. It is thus demanded that the system of 'deferred sentence' as described below should be given preference over the pure conditional discharge.

(2) 'Die Aussetzung der Verhängung der Jugendstrafe (bedingte Verurteilung)' (deferred sentence; the suspending of the actual sentence). The above mentioned draft recommends also the inclusion of the deferred sentence. If it cannot be established with certainty that the mentality of the juvenile offender is such that it is necessary to pass a sentence, then the Judge can suspend the decision as regards the actual sentence on condition of good behaviour during a specified time. As regards supervision during this period, this is as described above. This solution of the problem has the advantage that no entry is made in the penal register and that the juvenile offender is not regarded as previously convicted either by the law or by the public. Since excellent results have been achieved with this system in the United States, it ought to be considered whether it should not be applied exclusively and the system described above under (1) omitted. This suggestion has already been made by the '*Arbeitsgemeinschaft für Reform des Strafvollzugs*'.

III. *The execution of sentences*

The extent to which the execution of sentences mirrors the respective cultural, social and economic conditions of an epoch could be perceived with especial clarity in Germany during the war and after the collapse of 1945. From that time immense difficulties had to be overcome in this field. During the hostilities a large number of penitentiaries and prisons had either been destroyed or heavily damaged. The resulting shortage of prison space was further increased owing to the fact that the Occupation Powers commandeered either wholly or in part many of the prisons left undamaged by the war. In the first years after 1945 there was a shortage not only of actual prison space, but also of necessary equipment—beds, bed-sheets, food, raw materials for the prison work shops, etc. The shortage of space made it impossible in most cases to differentiate, as required by the law, between criminals sentenced to imprisonment and those sentenced to the penitentiary. A classification of the prisoners according to criminological types, such as habitual criminals and occasional offenders, was also nearly impossible. Another grave difficulty was the shortage of qualified personnel, especially wardens. Owing to 'denazification' many wardens, educators

and skilled craftsmen running the prison workshops had to leave the prison service. Owing mostly to lack of training and experience the substitutes were in many cases unable to fill the positions assigned to them. These deficiencies made it impossible sometimes to carry out a regular work programme in prisons and penitentiaries. Another result of the shortage of space and of trained personnel was that after 1945 large numbers of prisoners escaped. The splitting up of Germany into a number of States was another very unfavourable factor. In the smaller States (Südbaden, Württemberg-Hohenzollern and others) the necessary number of institutions were lacking, so that the execution of prison and penitentiary sentences could not be differentiated at all, quite apart from the fact that there were sometimes no 'work-houses' in the State concerned, and no prison where habitual criminals could be kept. The latter group was on the other hand sometimes so small that it was not possible from a financial point of view to set individual institutions aside for them alone. Only very slowly could these conditions be improved. The States agreed to pool resources and share institutions in order to lessen the financial burden and ensure that all sentences were carried out in the manner the law demands. Owing to the fact that in some of the zones of occupation—the French zone, for example—Military Government again and again interfered in matters of prison administration and supervision, no clear-cut division of responsibility could be established, which rendered the execution of the sentences most difficult.

When finally in the years after 1945 an attempt was made to organize the execution of sentences and the administration of prisons, priority had to be given to the above mentioned problems. To a very great extent they were finally solved by the general improvement of the economic situation and the decline in the number of crimes and offences consequent thereon. Only then was it possible to investigate how far the main principles were in need of reform. It was soon found that reforms could be aimed at only slowly and with the greatest care. It was necessary however to provide the administration of prisons with new—even though perhaps only temporary—statutes giving a legal basis for the execution of sentences. A beginning had already been made in the 'Principles for the Administration of German Prisons', issued by the Control Council in 1945. This Directive aimed at grafting on the German statutes well proven international principles for the execution of sentences. It was thus referred to as the 'Magna Carta' of prison administration. In the four zones of Germany statutes and ordinances were passed that filled out the framework established by this Directive No. 19.

Directive No. 19 stipulates :

(1) The basic principles for administration of the prison system of Germany are :

A. The exact execution of the sentences imposed ; and

B. The rehabilitation and reformation of the offender.

(2) The carrying out of the principles of paragraph 1A requires :

(*a*) That the prison be staffed by an adequate force of trained personnel to keep the prisoner under guard, assure his minimum needs for food, clothing and physical well-being, and maintain order and discipline. This presumes the establishment of such standards for the selection and retention of the officers as will assure a group of alert, physically fit and unprejudiced persons not suspected of Nazism, having the capacity to obtain the respect and obedience of the prisoners. It also presumes that the personnel will be trained and organized in such manner as will assure the safety of the institution and the development of the skills needed to achieve the goals sought.

(*b*) That the policy of equal treatment of all prisoners with no special privileges, and no discrimination of race, colour, creed or social standing be rigidly adhered to at all times. Each prisoner is to be treated strictly on his individual merits.

(*c*) That prisons be equipped and organized to ascertain accurately the criminal and personal characteristics, the habits, and the mental and physical aspects of each inmate, and to classify him with respect to the manner in which he should be housed, the kind of work and training assignments he should be given, and the persons with whom he may be permitted to associate.

(*d*) That the records of each prisoner should comprise all pertinent facts concerning his status as a prisoner, his criminal and personal history, education and employment, as well as his physical and mental make up. The case record of each prisoner must contain all details concerning his behaviour while in confinement, his accomplishments and the views of those under whom he has worked.

(*e*) That the discipline of the prisoners be firm but fair and be exercised without resort to corporal punishment.

(3) To give effect to the provisions of subparagraph B of paragraph 1, it is necessary to provide for:

(*a*) Development of a programme of useful physical work to the end that the prisoner will appreciate fully the consequences of his criminal acts and will also learn how to work ; and that physical work in itself is a practical substitute for criminal ways. Prison labour projects will be directed first to providing for the prisoner's own needs for food, clothing and housing and then to supplying goods and labour needed by agencies of the government. These projects may, for the more trustworthy and co-operative prisoners, include road making, reforestation, conservation of national assets, and other public projects.

(*b*) Establishment of schools and shops for the education and training of prisoners according to the nature of the crime committed and particularly for the younger first offenders, in such academic and vocational pursuits as will best fit them, upon release, to take their place in society as law-abiding, self-supporting citizens. Books, magazines and individual study courses should be utilized to this end.

(*c*) Attention to the physical needs of each prisoner by providing adequate medical, dental and psychiatric services and hospital facilities as well as by strict compliance with recognized standards of sanitation and cleanliness. Provision should also be made for the psychological and psychiatric evaluation of the prisoner with a view to full utilization of these two specialities in treatment of the prisoner.

(*d*) Provision of reasonable opportunities for the prisoner to develop and maintain his physical and mental well-being.

(*e*) The administration of prisons may adopt policies giving encouragement to prisoners of good conduct.

(*f*) Extension of the privilege of corresponding with relatives and friends in accordance with a definite scheme and under the supervision of the prison officials. Regular visiting by respectable friends and relatives should also be encouraged.

(*g*) Reasonable provision of opportunities for religious guidance and worship in accordance the prisoners' choice.

(*h*) Recognition of the prisoner's right to make known to the appropriate officer his personal problems and difficulties as well as his right to appeal, with impunity, to the Court for review of the legal basis for his detention.

(*i*) Insistence upon undeviating compliance by the staff and inmates with the ordinary standards of honesty and of respect for the rights of others ; and upon recognition of the principle that no human being shall be considered as abandoned or perverse beyond redemption.

These principles aimed at encouraging the German legal administrations to develop their own relevant statutes. Since 1945 the German States have altered the '*Strafvollzugsordnung*' of 1940 in accordance with Directive No. 19, and some States have passed new statutes for the administration of prisons and the execution of sentences. A federal statute however cannot be expected at present.

Finally I would like to mention some problems that are especially acute at the present time in Germany. Since 1945 great attention has been given to the care of released prisoners. In practically all quarters the conviction is increasing that care must begin when the prisoners are still in jail. By creating ' open homes ' an attempt is being made to help the former prison inmate to adapt himself to a normal life in free human society. It is to be

regretted that sufficient financial means are often lacking to carry out these plans on a large and generous scale. In some States (especially in Hesse under the direction of Ministerialrat Dr. Krebs) the number of educators and social workers is being increased so that the educational influence brought to bear on each prisoner is steadily mounting. Also of importance are the efforts made to give civil servants in the prison administration a better training which of necessity entails greater responsibility. All these are, however, but the first steps towards providing in Germany a sound foundation for the application of international principles in the field of prison administration and execution of sentences.

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SOME RECENT DEVELOPMENTS IN THE ENGLISH PRISON SYSTEM

By JOHN C. SPENCER (London)

I. INTRODUCTORY

In November 1952 Viscount Simon opened a debate on the condition of Prisons in the House of Lords. After drawing attention to the important new provisions provided by Section 21 of the Criminal Justice Act, 1948 corrective training and preventive detention—he asked the following question: 'Accepting the argument that Parliament in 1948 adopted a new scheme, the important part of which lay in the provisions that I have just read, what is happening now in the prisons, in view of this new Statute?' (6,318).

Within the limitations imposed by the occasion this question was answered by the Lord Chancellor. He emphasized in particular the methods which the Prison Commissioners hoped to adopt to meet the serious problems of prison administration created by the shortage of buildings and staff in relation to the post-war increase in the prison population. Although the primary aim of this article is to discuss the question which Viscount Simon asked, an adequate answer can only be given in the light of these facts. To suggest that the new system of prison treatment has failed and that recourse must be had to more deterrent methods is to repeat the controversy leading up to the demand for corporal punishment last December.[1] On the other hand it is true that a reformative regime requires both buildings, staff and organization of a very different order from a system that is mainly custodial.

Our main emphasis will be placed on corrective training and preventive detention since recent experience among these groups was not available at the time of publication of the most outstanding of recent books on the English prison system by the Chairman, Mr. Fox (3). Some mention must, however, first be made of recent administrative difficulties.

II. DIFFICULTIES OF ADMINISTRATION

The outstanding problem has been one of overcrowding. In evidence before the Select Committee the Chairman emphasised the obstacles to classification created by the presence of some 23,000 in prisons which should not hold more than 11,000 or 12,000 (11, Q. 69). In February, 1952,

[1] See, for example, the article on 'Crime and Punishment' in *The Times*, Dec. 11th, 1952.

4,500 male prisoners were sleeping three together in cells designed for one person. By May, 1952, the population had risen to 24,000 and there was no indication that the peak had yet been reached (11, p. 8). Though this is the highest population recorded since shortly after the establishment of the Prison Commission in 1877, expressed as a percentage of the total population of the country it is lower than the period 1880–1910 (11, p. 204). The rise appears to be due not only to the new sentences of corrective training and preventive detention, but also to the post-war increase in crime.

No less serious than the shortage of accommodation has been lack of staff. This handicap has chiefly affected the local prisons where due to the operation of a one-shift system a working week has rarely exceeded 22 or 23 hours (11, Q. 21). The Government ban on increased recruitment has subsequently been removed, and the Commissioners are now free to recruit sufficient officers to enable the three-shift system to be extended to all central, regional and corrective training prisons and also to certain local prisons (12, p. 10). No less serious has been the shortage of medical officers amounting to as much as 20 per cent. Adequate psychiatric investigation, let alone psychiatric treatment, becomes impossible in such conditions.

Plans for future development, hindered in recent years by limitations on capital investment, can now be started in the next three years. Provided that there are no further set-backs, these give some grounds for optimism. They include two new security prisons each for 300 men, two Borstals for 150 boys, and two for 75 girls. In addition it is hoped to open in 1953 five camps and one medium security prison. Most important of all from the point of view of research and development is the proposal to build in 1954 the long awaited East-Hubert Institution for mentally abnormal prisoners (12, p. 10).

III. CORRECTIVE TRAINING

Scientific assessment of the effects of corrective training will only be possible when evidence as to reconvictions becomes available, and that too only after the system has been in operation over a reasonable period. Some information is promised in the Prison Commissioners Report for 1952. We must therefore content ourselves with a study of the methods employed and of the types of offenders sentenced by the Courts.

In 1932 the Departmental Committee on Persistent Offenders pointed out in their important report that existing methods of dealing with the habitual criminal were unsatisfactory. They recommended the repeal of the so-called ' double-track ' system introduced by the Prevention of Crimes Act, 1908, and its replacement by two new sentences. These were detention for from two to four years for the persistent offender, especially between

the ages of 21 and 30, and a sentence of prolonged detention for those 'less hopeful subjects for training' over 30, in particular for the professional criminal.

These recommendations were given legislative form in Section 21 of the Criminal Justice Act, 1948, though, as Dr. Morris points out in his useful study of the Habitual Criminal, the clause received a minimum of discussion in the House of Commons (7, p. 248). To be eligible for corrective training an offender must be not less than 21 years old, have had two previous convictions since the age of 17 of certain serious offences,[2] and stand convicted on indictment of an offence punishable with two or more years imprisonment. The court may then sentence him to a period of not less than two nor more than four years. During the period of licence supervision is organized by the Central After Care Association, and carried out by probation officers.

Mr. Fox has observed that although it is a new name in our penal terminology it does not describe a new method of treatment or training. It is the statutory application of an existing method to a category of prisoners selected not by the administrative classification system but by the courts (3, p. 307). Two questions immediately arise : To what extent are the existing methods of training applicable to this new category of offenders? What kind of prisoners are the courts selecting for this training?

In the early stages there was some confusion among the judges as to the real purpose of corrective training. In May, 1950, it was described as similar to a sentence of imprisonment (13), while in an Adjournment Debate in the House of Commons Mr. John Maude said that it had been described by the Lord Chief Justice as an extended Borstal system (5). A similar view had been expressed by Mr. Justice Birkett in Apicella's case (8). In Rex v. Meaney, decided on March 27th, 1950, and again in Regina v. Talbot, the Court of Criminal Appeal said that it was undesirable that a person should serve a sentence of imprisonment after corrective training, because not only was the discipline different but an attempt was made to teach the man a trade during corrective training.

This initial confusion as to the purpose of corrective training was reflected in the interpretation of eligibility. The formal criteria of age and previous offences provided only a general indication of the appropriate type of offenders. There was in the early stages a tendency to pass a sentence on men who were considered unsuitable. In Rex v. Murray in the Court of Criminal Appeal on the 16th October, 1950, the Lord Chief

[2] In the case of Rex v. Stobart in 1951 the Court of Appeal stated that a probation order could not be regarded as one of the qualifying convictions.

Justice said that while a report from the Prison Commissioners that a man *was* suitable for corrective training was not in itself a reason why the Court should pass such a sentence, it was undesirable to disregard their opinion if they reported that he was *not* suitable. In 1950 there were 44 men out a total of 1,073 and in 1951 32 men out of 771 (a slightly higher proportion) who were sentenced to corrective training in spite of the fact that they had been reported as unsuitable. Out of 67 women in the course of the two years only one was thus sentenced. At the same time there were as many as 1551 offenders in 1950 and 948 in 1951 who were not sentenced in this way although they had been reported as suitable.

The many handicaps facing the Governor of a local prison who is required to prepare this report for the court must be kept in mind. Frequently time is too short and in any case adequate facilities for observation and investigation are not available. In the case of the offenders who are on bail only a paper assessment can be made. The Prison Commissioners have stated that although they had instructed Governors who were unable to give an opinion to say so, the figure of 53 cases in which this was actually done did not indicate the true magnitude of the difficulty (9, p. 30). It is to be hoped that the Prison Commissioners will be able in the not too far distant future to set up the remand centres for adults, for which legal power is given in the Prison Rules, 1949, to perform the task of classification and observation, as Mr. Fox has stated in a recent article in this Journal (4, p. 100).

(a) Methods of Training

The lack of homogeneity among the corrective trainees has made a system of classification an essential element in the administration. To this end an allocation centre, situated first at Reading and later in a wing of Wandsworth when Reading was required for recalcitrant Borstal boys, and using a procedure similar to that of Latchmere House, has been set up. Under the prison rules corrective training is served either in regional training prisons (of which the characteristics and organization are sufficiently well-known to require no further discussion here) or in prisons specially set aside for the purpose. Use is also made of small parts of Manchester and Pentonville prisons for men considered unsuitable for corrective training, generally on account of bad behaviour. Up to March, 1951, 17 men out of 79 removed in this way had been returned to their ordinary prison to resume training.

The corrective trainees in the training prisons may be divided into two groups; first, the minimum security of Sudbury and the medium security of the Verne, and second the regional training prisons of Maidstone and

Wakefield. Statistics for 1951 show that 4 per cent. were allocated to the first group and 16 per cent. to the second. The fact that the quota of 40 per cent. of their total population which was allotted to the training prisons was not filled is in itself an indication of the quality of the corrective trainees.

It follows that the remaining 80 per cent. were sent to prisons (or part of prisons) specially allocated to corrective training under conditions of maximum security. Three prisons, Chelmsford, Camp Hill and Nottingham, have been entirely used and another three prisons, Liverpool, Durham, and Wormwood Scrubs, have been partly used for the purpose. The difficulties of accommodating one or two wings of corrective trainees in an ordinary prison need no emphasis. There is a very natural suspicion among the prisoners, to which these handicaps contribute, that it is the same mixture as before, only in larger doses, that is being given when corrective training is prescribed by the Court.

But it would be unfair to discredit the whole system in this way. At Chelmsford, for example, where the first complete prison was opened in September, 1949, a very real attempt to include additional training facilities has been made. With the assistance of social workers and probation officers in touch with the home special attention has been given to problems of welfare. Through the help of the Essex Education Authority, an active and varied education programme has been organized, while men capable of undertaking a technical training have, as far as possible, been employed in this way. During 1951 a pre-release experiment was started for certain men in the last four months of their sentence. These men, about 24 in number, lived together in a hut erected in the prison grounds. In the Governor's words they 'are left to fend for themselves as much as possible with a view to eliminating their dependence on officers. There are no security measures and only the boundary wall divides them from the outside world' (10). There is surely a strong case for the continued extension of experiments of this kind in the use of freedom among men who will shortly experience the difficulties of the post-release period.

(b) The Personality and Characteristics of the Corrective Trainees

Both the 1987 men and the 69 women sentenced to corrective training during the period 1950–51 were young in age. Just under half of the men were 25 years old when sentenced, while 81 per cent. of the men and 68 per cent. of the women were under 30. Only 56 men were over 40. Their criminal records show that 48 per cent. already had at least six previous convictions of indictable offences, while 43 per cent. have previous sen-

tences of imprisonment or penal servitude preceded by Borstal or Approved School training. In the words of one Governor: 'The trainees received are, in the main, what would normally be regarded as recidivists'. It is a matter of some surprise perhaps that the number of sex offences amounts to only 23 and of violence against the person to 41. Breaking and entering and larceny are the predominant offences.

The most noticeable change during the period was the reduction in sentences of under 3 years. The proportion fell from one-quarter in 1950 to one-eighth in 1951, the result perhaps of the Lord Chief Justice's statement in Rex v. Albury in January 1951 that only exceptional circumstances would justify a sentence of less than three years. As a commentary on this we observe from the psychologist's report that the most prevalent attitude to their sentence held by corrective trainees was embitterment over its length which was considered disproportionate to the gravity of the offence. Many offenders failed to understand the distinction between a 2, 3, or 4 year sentence of corrective training (10, p. 91).

So much for some of the measurable characteristics of this group. A study of the impressions of Governors or of the very useful report of Mr. R. S. Taylor, the psychologist at the Allocation Centre, gives no great grounds for optimism. The adjectives 'apathetic', 'irresponsible', 'improvident' continually appear in Governors' reports. One writes: 'Superficially the impression gained is that the lot have been turned out of one mould' (10, p. 106). This impression of uniformity could be interpreted as no more than a testimonial to the efficiency of the classification procedure. Further inspection of these reports, however, and the fact that the proportion allocated to the training prisons in 1951 was only 20 per cent. leads one to the conclusion that it may well be correct.

In Mr. Taylor's report a rough estimate places the men labelled as 'socially inadequate' in the region of 65 per cent. Unsatisfactory parental relationships have led to feelings of inadequacy and inferiority and in turn to rejection by society. For this group of men the limitations of prison routine tended to inhibit the development of self-reliance and initiative. The study of the family, school, work and service records of these 2,000 men makes a coherent story. Marital discord, a history of serious truancy in 25 per cent., and minor truancy in 40 per cent. of the group, frequent job-changing, and only a small minority with solid records of military service, were also observed.

As we have already said, it is still too early to assess the after-histories of the corrective trainees. Yet the figures given by the Central After Care Association are more encouraging than the above reports might suggest. Of the 201 men discharged in 1950, by the end of 1951 9 had been

recalled, 88 reconvicted and 6 were awaiting trial, representing a success rate ((if the word 'success' be admissible in this context) of 49 per cent.

Finally there is what may be called the deterrent function of corrective training, represented chiefly by the fact that it is the offender's last chance before a sentence of preventive detention. The Persistent Offenders Committee recommended that it should be impressed on men eligible for preventive detention on a further conviction that this is a final opportunity (1, para. 44). In their report for 1950 the Prison Commissioners considered that the percentage of men eligible for preventive detention on their conviction on indictment after reaching the age of 30, was probably between 40 and 50. Yet in their following report we learn that of the 36 men qualified in this way who were reconvicted while still on licence, 4 were sentenced in Magistrates' Courts, whereas of the remaining 32 only 3 received sentences of preventive detention in Courts of Assize and Quarter Sessions (10, p. 29).

The fact is that the relationship between the reformative and deterrent functions of corrective training, particularly in connection with preventive detention, needs further consideration by the Courts. One Governor considers that 'some Courts are inclined to look on corrective training more as a substitute for preventive detention, and not as a form of training for those in the early stages of what appears likely to become a criminal career' (10, p. 107). In spite of the youthfulness of the corrective trainee population (*vid. sup.*) it would appear from the experience of the first three years that corrective training might usefully be employed at an even earlier stage when it is to be hoped that the facilities of the minimum or medium security training prisons might be more extensively used and when the longer sentences available might enable existing methods of training to be effectively applied. In cases of failure, on the other hand, it seems reasonable to make greater use of the sentence of preventive detention.

IV. PREVENTIVE DETENTION

Preventive detention, like corrective training, is in large measure the result of the recommendation of the Persistent Offenders Committee of 1932. Of the history and subsequent failure of the old system of preventive detention as instituted in Part II of the Prevention of Crimes Act, 1908, Dr. N. Morris has most skilfully written (7). Among many other things he has contrasted the initial optimism at the introduction of the old system with its subsequent failure as a method of dealing with the persistent offender. Not only did the double-track system fail to commend itself—for a variety of reasons—to the judges who used it only for a minority of cases,

but in those cases where it was used the criminal records showed few signs of *serious* habitual criminality (7, p. 80).

Eligibility for the new system of preventive detention, set out in Section 21 of the Criminal Justice Act, 1948, has been determined in a different way. It is based on three factors, age, previous convictions, and present offence. The age of 30 is the lower limit. The offender must have 3 previous convictions on indictment since the age of 17 punishable by a term of at least 2 years imprisonment. The present conviction must also be for an indictable offence punishable by imprisonment for 2 or more years.

As in the case of corrective training scientific assessment of the result of preventive detention cannot be made at this early stage. Yet if numbers are any criterion of achievement then the new system must certainly be adjudged a success. By the end of 1951, 664 men and 23 women had been sentenced in this way. In May 1952 the number of men had increased to over 770 (10, p. 31). Clearly then the 1948 system has succeeded where the 1908 system failed, in commending itself to the judges as a method of dealing with the habitual criminal.

On the characteristics of this group during 1950-51 a limited amount of information is available. 37 per cent. of the men were between 30 and 40 years of age while 69 per cent. were under 50. 72 per cent. had over 10 previous indictable offences, and 18 per cent. had over 20. Their previous experience of institutional life, whether preventive detention, penal servitude, imprisonment, corrective training, Borstal or Approved School, was equally serious. Yet in spite of this the Courts do not appear to have made adequate use of the powers conferred upon by the 1948 Act to impose a longer maximum sentence. Only 6 men and no women were given sentences of over 10 years which was the previous maximum penalty. We have already commented on the very small number of sentences of preventive detention passed on corrective trainees reconvicted while still on licence.

To learn the reasons for these decisions would be of interest. If removal from the community is the main object of preventive detention, and if the length of sentence can be regarded as of significance for its deterrent effect,[3] then the failure to make greater use of these powers is indeed a matter for discussion. If, on the other hand, it is rehabilitation that is intended, it may well be that sentences of over 10 years may counteract the reformative influences which are intended in the third stage. In the case of Regina

[3] Dr. N. Morris (7, p. 328) shows that the deterrent effect of punishment on a group of 32 of the old preventive detainees was of so little importance that the duration of penal detention had no bearing on the ensuing interval between discharge and reconviction.

v. Brown, decided in the Court of Criminal Appeal on January 14th, 1953, the Lord Chief Justice gave the reasons which led the court to increase the prisoner's sentence from 7 to 10 years. 'That the Court of Criminal Appeal had said that seven years was the minimum period of preventive detention that should normally be given, except in the case of an old man, did not mean that seven years should be the maximum sentence. The object of preventive detention was to protect society and to prevent a man from preying on society'. But there is still no indication that sentences between 11 and 14 years are considered desirable by that Court.

A sentence of preventive detention is served in three stages. Of the first stage little need be said. It is spent in a local prison and lasts between 1 and 2 years according to the behaviour of the prisoner. The second stage is served in a central prison, at Parkhurst. At the present rate of growth it would appear that accommodation at Parkhurst will be inadequate for the P.D. population. The difficulties at this prison in recent years have been due to a variety of reasons (11, Q. 2402 4). In the first place there were the inevitable problems arising from the location of three different categories of men in the same institution, a matter on which Dr. Morris has given some comparative material (7, pp. 205 12). These were the long-term Ordinary prisoners, the 40 odd men still serving preventive detention under the 1908 Act, and some 400 serving preventive detention under the 1948 Act.

Between the old preventive detainees and the Ordinary prisoners there was a difference of pay, the former group receiving 50 per cent. more together with 1s. 2d. stage money. There was also a difference in privileges such as the possession of evening cooking facilities by the old preventive detention group, which had not been extended to the 1948 preventive detainees. These inequalities of pay ceased when the Ordinary prisoners were gradually removed from Parkhurst, and certain trouble-makers have been placed in the first stage in a local prison (12, p. 12). Inequalities of privilege can only be removed by the gradual disappearance of the old preventive detainees in the course of time through the termination of their sentences.

The second group of difficulties are of greater significance to the penologist. They arise from the fact that under the new system of preventive detention, unlike the system of simple imprisonment, promotion from the second to the third stage is not just an automatic process, delayed only by formal punishment. There has been set up an Advisory Board whose duty it is to consider whether men in the second stage are suitable for promotion to the third. Among the factors considered by the Board are the man's criminal history, his social history, his prospects outside, and

the like. Thus conduct inside prison during the second stage is only *one* among several other considerations. Perhaps the most obvious advantage to the prisoner of promotion to the third stage is the potential increase of remission from one-sixth to one-third. The Chairman has described the new system in these words: 'It is a sort of limited application of the indeterminate sentence' (11, Q. 2404).

The dilemma thus created has been a matter of considerable controversy and debate among penologists. Clearly the gulf between penological theory and the interpretation of this theory by the prisoner raises considerable difficulties. This modest concession to the Hague principle of 'relative indeterminacy' 'was not made without some misgivings as to the obstacles facing the prison administration in their efforts to put the system into practice' (4, p. 306). It remains to be seen whether 'the theoretical advantages of the system outweight the practical disadvantages' (ibid.). On the one hand it may be argued that since the worst-behaved men outside the prison are frequently the best-behaved inside, it is necessary to use criteria other than those of behaviour alone as a test of admission to the final stage. The Board is required to satisfy itself when considering each case that there is a reasonable probability within the language of Rule 172 (3) that the prisoner will not revert to a criminal life.

The prisoner, on the other hand, not unnaturally interprets the question in a different light, and regards good behaviour alone as the necessary condition for discharge. Any method of securing admission to the third stage is considered by him as legitimate. Indeed the 'grape-vine' has assumed that the writing to the Governor of an offer of employment by a prospective employer, whether genuine or bogus, might be an effective means of achieving this end.

Up to the end of 1951 the Board had only placed 19 out of a possible 74 cases in the third stage, so that the evidence on which to generalize is as yet not available. Initial experience is somewhat discouraging. The Select Committee learned from prison officials that indiscipline at Parkhurst followed meetings of the Advisory Board (11, Q. 2408). It has been suggested, however, that this is no more than a transient phase and that in the course of time the changed conditions will become accepted (10, p. 30).

For those men who are admitted to the third stage, an attempt will be made to provide a regime in which the prisoner may gradually become acclimatized to the conditions of freedom experienced in the outside world. For the creation of this 'transitional community' (to use a phrase initially applied to the Army Civil Resettlement Units) a separate wing is to be employed where the prisoner will be subjected to a minimum of supervision and given as much responsibility for himself as possible. The intention is

that it will be possible to go one stage further than this in the future and accommodate those men who react favourably to this new degree of freedom in a hostel outside the prison, from which they may go out daily to their work. Similar experiments at Hall and Häga in Sweden, at Witzwil in Switzerland, and at Loos in France, suggest a favourable outcome of this proposal. As in the case of corrective training, the preventive detainee on release on licence will be subject to recall. His after care similarly will be organized by the Central Association.

V. SUMMARY

(1) The introduction of the new measures provided by the Criminal Justice Act, 1948, was handicapped by an increase in crime, leading to overcrowding in prisons and shortage of staff. In the winter of 1952 there was a renewed demand for the re-introduction of corporal punishment.

(2) The most recently published plans of the Prison Commissioners indicate an increase in the recruiting of staff and the commencement of a building plan, to include in 1954 the much needed East-Hubert Institution.

(3) It is too early to reach any firm conclusions on corrective training or preventive detention. Certain pointers, however, are available.

(4) As methods of dealing with habitual offenders, so far as numbers are an indication, they have commended themselves to the Courts.

(5) In the early stages there was some confusion in the minds of the judges as to the objects of corrective training. The position was subsequently clarified through a meeting with the Prison Commissioners.

(6) The value of classification in corrective training has been clearly shown. The urgent need now is for special observation centres to perform the work of observation *before* the offender appears for sentence by the Court.

(7) Only 20 per cent. of the C.T. population have been regarded as suitable for allocation to training prisons. In spite of the fact that they already form a youthful group, there is a case for the use of corrective training at an earlier stage in criminal careers.

(8) Corrective training has been recommended as a 'last chance' before preventive detention. Yet we find that among the C.T. failures while on licence only a minority have in fact been sentenced to P.D. by the Courts.

(9) Courts have hesitated to give sentences of over 10 years P.D. though allowed by the Act to do so up to a maximum of 14 years.

(10) The presence of three different categories of prisoner in Parkhurst prison led to considerable difficulties for the administration.

(11) A further cause of unrest has been the dissatisfaction felt by the prisoners at the criteria employed by the Advisory Board when deciding on the admission of P.D.'s to the third stage.

(12) This third stage of preventive detention will be so organized that a large measure of freedom is given to the prisoners. As an additional step in this direction it is hoped to open a hostel.

VI. CONCLUSIONS

The more reformative the objective, the less purely custodial can the prison system afford to be. To use a phrase developed by Fenton in a recent article in this journal, a 'general atmosphere of adjustment' must underlie the whole system (2, p. 110). Among the many significant factors contributing towards this end the training of staff in man management and their increased participation in the life of the institution may perhaps be singled out.

The active co-operation and interest of the Courts is an essential prerequisite to the effective operation of the new measures of the C.J. Act.

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NOTES AND CRITICISMS

Juvenile Delinquency in Belgium 1930 to 1949

In the past two decades the amount and character of juvenile delinquency in Belgium has varied according to the social, political and economic conditions in the country. Within the 20 year period of 1930 to 1949 Belgium has experienced a great economic depression and a total war, with all the social and political complications therewith involved. These far reaching changes have had a corresponding influence upon the conduct of the youth of the nation.

The Great Depression Period. During the decade of 1930 to 1939 the annual conviction rates were above the ten-year mean for boys (580) and girls (171) in the first half, and below the same in the second half of the decade.[1] The year 1934, perhaps the lowest point of the economic index in the Great Depression, marked the highest conviction rates for boys (733) and for girls (225) in the decade. In 1936 both rates fell below the average and remained there for the remainder of the thirties.

World War II Period. With the Nazi invasion of Belgium in May 1940 delinquency rates for both boys and girls increased, and advanced each year until the peak in 1943. In that year the rate for boys was 1,363 or 135 per cent. above the 1930–39 mean (580) and the rate for girls was 519 per 100,000 or 204 per cent above the mean (171) for the same years. In 1944 rates declined to a point almost equal to the 1934 figures. Then in 1945, a year after the Liberation, the rates declined to a point below all rates for the 20 year period.

In the post-war years rates increased to a high of 744 for boys and 208 for girls per 100,000 in 1948. The mean rate for boys in this period (1946–49) was 620 and 180 for girls. Both mean rates in the post-war period were below the averages for World War II but higher than the averages for the pre-war and depression period of 1930–39.

[1] The data in this analysis have been compiled from reports for the various years 1946 through 1949 of *Statistique Criminelle de la Belgique. Institut National de Statistique. Ministère des Affaires Economic et des Classes Moyennes* (Royaume de Belgique), Bruxelles. The reports for the various years were published in 1948 through 1951. The data have been limited to youthful offenders for the ages 16 but less than 18 convicted of serious offences in the various courts. Rates are based on the number of youths convicted per 100,000 in the same age groups.

JUVENILE OFFENDERS CONVICTED IN BELGIUM, 1930–1949 (*a*)

Rates per 100,000 for Boys and Girls 16 but less than 18 years of age.

Year	*Boys*	*Girls*	*Total*
1930	631	184	408
1931	632	181	408
1932	667	186	429
1933	628	188	410
1934	733	225	479
1935	569	174	373
1936	427	133	282
1937	479	138	309
1938	556	159	358
1939	477	145	312
1940	563	177	372
1941	1036	418	729
1942	1285	508	897
1943	1363	519	940
1944	718	279	498
1945	396	171	283
1946	516	183	350
1947	482	124	304
1948	744	208	668
1949	692	206	451

(*a*) Statistique Criminelle de la Belgique, Institut National de Statistique, Ministère des Affaires Economic et des Classes Moyennes, Bruxelles, 1946 to 1951.

INTERPRETATION

The relatively high rates of delinquency in the early years of the great depression is a phenomenon common to all nations for age groups 16 to 18 years of age. As the economic conditions improved in the last half of the thirties youthful offences declined. Of the European nations devasted by World War II Belgium bore the brunt of the Nazi attacks in May 1940 on land and from the air. The increase of youthful offences during the war and the occupation is a natural result of the serious disorders within the nation. The youth of Belgium, as in every other European country in the war, were exposed to sudden and violent social and political changes. This was especially true for those countries occupied by the Nazi forces. The widespread bombing, the increased possibilities for looting (and being looted), and the shattering of normal family living resulted in an increase in youthful offences. The increase of offences in the years 1948 and 1949 is a factor which may be due to the long time effects of the war and the conditions involved in recovery. World War II has left its mark upon the youth of Europe.

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Youth Welfare In Tel-Aviv

About 15 years ago the streets of Tel-Aviv were overrun by swarms of uncared-for children picking up a livelihood by the sale of sweets, newspapers and various small wares, and by such odd jobs as running errands, carrying parcels, blacking shoes, and so on. To some extent these boys kept to their own clientèle and confined their activities to their own districts. Other boys seemed to exist in complete idleness, or to exert themselves just sufficiently to pay their gambling expenses. These loafers, a very numerous class, were followers and admirers of the young street-traders. The latter developed into a public nuisance, forcing their wares by various techniques on reluctant purchasers ; and it was a matter of concern that their most ardent pupils were very small children suffering from behaviour disturbances or learning difficulties, to whom the streets under such guidance offered a pleasant alternative to school.

To combat this state of things, a Youth Welfare Officer was appointed, whose business it was to discover how these children could best be rehabilitated. The scope and limits of his activities were not very clear at first : they developed into a ramifying welfare service, aiming to get the boys out of the streets and find appropriate placements for them—ranging from school placements to regular jobs of various kinds. The Officer's task was to make direct contact with the boys in the streets and markets. There was no " middleman " to bring the boys to the Youth Officer, no one who referred the boys to him, no third party, no authority in the background. It was from this kind of initial contact that the treatment relation developed.

Our technique was to go about watching the boys at work, at whatever times and places the nature of their jobs required, and so to become a familiar part of the scene, and occasionally to enter into conversation on neutral subjects—perhaps about the job, perhaps about school attendance—but without making any sort of demands. Only after all strangeness had worn off did we explain what we were looking for and why we were interested in them. When this relationship had been established with thirty or forty boys, we were recognized by others whom we had not so far been able to approach.

Far less accessible were the types who lived by forcibly pressing their services on passengers arriving with luggage at the bus stations. Their leisure in the intervals between the arrival of buses was devoted mainly to gambling or to the still more congenial enjoyment of complete idleness. This group being more suspicious than the traders, it would have been hard to establish any relationship but for their delight in story-telling ; to profit by this meant sitting among them literally for hours listening to their stories and adventures and thus getting to know their ways of thought. Their eagerness to listen to our stories in turn did much to break existing barriers down.

Having thus accepted us as friendly figures, they readily agreed to come to our office ; but at the idea of individual interviews they got alarmed and their suspicions revived : they were uneasy, withdrawn, unco-operative. Possibly a cultural element may have been involved : it seems difficult for boys from

Oriental communities to get used to this procedure At any rate they never came to the office singly.

Contrary to the usual course, which is to make contact with children through their families, we made contact with parents after establishing relationship with the boys. Some interesting facts then came to light. The boys came from homes where they could not be properly cared for. By far the greater number came from Oriental families with an unsound social background. This must be attributed mainly to the special circumstances in which Oriental Jews (newcomers or old inhabitants) have found themselves ; they have had to accept and assimilate values familiar to European Jews but practically unknown amongst most sections of Oriental Jews.

This clash between diverse cultures had its repercussions on the treatment and handling of the children.

We found that parents newly arrived in this country were mainly supported by their young children, who employed themselves in the various ways already described. This, however, was not peculiar to the newcomers ; in other families we visited, we found that the mothers and children were the main breadwinners ; the fathers did only casual work, of an unskilled type. Jobs were hard to come by, and perhaps not very earnestly sought. The women could always get rough domestic work ; but obviously it paid best to let the boys support the family. So long as they did this efficiently they were persons of consideration ; but any falling-off brought down punishment, and finally the unsatisfactory providers would either run away from home or be thrown out.

We found among the street boys two groups : those who had originally run away from home in search of freedom and variety, and those who had in the first instance been sent out to make money. The first simply became loafers ; the second would for some time at least pursue some gainful occupation, which would be changed by and by, as caprice or convenience suggested, for another, or for loafing. The loafers would likewise find it necessary to earn a trifle, though they would never admit the necessity, some pretext being always alleged. We had no doubt that these shiftings were a reflection of their personality make-up. When we tried later to find placements for these boys in schools, clubs, or regular employments, we could trace their degrees of instability to the initial choice of a street job and continual switching from one to another.

We tried to place these boys in occupations which kept them to a certain extent in touch with the streets ; e.g., situations as errand boys in shops, perhaps with the use of a bicycle. This contact with old haunts and old friends was of course not free from dangers ; but the difficulty of getting a boy to settle down without fuss to any ordinary job, and stick to it, more than justified the risk. Once we could help boys to settle down to one of these irregular jobs—never a smooth process—they were later able to settle down to jobs of a steady and permanent nature. With professional loafers nothing of the sort was possible. Boys running wild in the streets are liable to become delinquents : a great many were as we knew in fact given to committing acts of delinquency, but of the small percentage who actually appeared before the Juvenile Court on various charges not one was charged with vagrancy or street trading.

It has been suggested that not only does loafing, undisguised or in the form of lying in wait for buses, make for delinquency, but also that trading in par-

ticular goods disposes youngsters to particular forms of delinquency, e.g., evidence has been put forward to show that newsboys are prone to become gamblers; match-sellers, beggars; and shoeblacks, pimps. We had only limited opportunities of checking these statements. We did observe, separately, two phenomena: Boys were deliberately sent out in dirty rags to beg for their parents' benefit and shoeblacks about 12 years of age were employed to solicit soldiers on behalf of prostitutes during World War II. It seemed to us that the nature of these children's work definitely led them to soliciting.

The difficulties of getting a street-boy of eleven or twelve years of age to settle down to school have also been tackled. Teachers are not very anxious to accept such pupils. At first we were in the position of seeking the help and co-operation of teachers and school authorities; now it may be said that they are seeking ours. From this and other experiences there developed an organized system of Youth Welfare Agencies throughout the country, including school attendance workers, who receive special training in youth welfare work. Their job is to be in touch with all schools, which report truants. The main aim of the system is to get into action as soon as possible, so as to prevent school children getting "acclimatized" to street life and to a street atmosphere. The School Attendance Worker gets in touch with school authorities, social agencies, the children and their families. They first try to bring the children back to school, or should this not be possible, they take steps to find other placements. About two years ago compulsory elementary education came into force and it is now possible for Court action to be taken against parents. The work of the School Attendance Worker has become an important tool in counteracting the effects of child-neglect.

DAVID REIFEN (Tel-Aviv)
(Abstracted by W. M. Geddes)

PENOLOGY AND THE ATTITUDES OF PRISONERS

It seems to us that prisoners and their view points have been almost completely neglected in the evolution of penal treatment. Although the very idea of considering the prisoner's needs or his wishes may at first glance seem fantastically foolish, the notion becomes considerably more sensible if we conceive of prisoners not as wicked people to be punished, but as maladjusted people to be rehabilitated.

The great majority of the people incarcerated in this country do not fall into the category 'professional criminal'. We would estimate that less than ten per cent could be so labelled. The majority fall into other classifications, such as the neurotic, the inapt, the accidental, the psychoid, etc. If prisons have failed to keep up with the stream of modern progress, and if prisons have failed in their primary social responsibility, both of which premises seems to us indisputable (and we are not alone in this opinion), then we should not hesitate to take into account all points of view, even those of prisoners, in consideration

of the future. After all, we are not bound by any attitudes or opinions that we may discover, but we would get some light on the problem by a careful analysis of a sample of prisoner opinion about certain fundamental matters.

Five years ago one of us (R.J.C.) published an account of certain attitudes of prisoners at Auburn Prison in the state of New York.[1] This investigation attracted considerable public interest, apparently because some of the findings were unexpected. We found for example, that one-half of our survey group stated that they had been reasonably happy in prison.

The method used was to interview consecutively and under conditions of complete privacy fifty inmates who had already been given release dates and who were within some weeks of release. This procedure was also used in a second investigation at San Quentin Prison in California. The importance of this report lies not in the confirmation of our original findings but rather in the contrasting of results, since the two institutions were quite different in nature, and the different results are, presumably, in part a function of the nature of the two prisons; Auburn being a grim repressive institution, while San Quentin is a treatment-oriented prison.[2]

We asked both of our investigated samples the same twelve questions and we wish now to present the summary of the answers and the conclusions.

Our first question asked whether the prisoner had been ' reasonably happy ' in the prison. Exactly fifty per cent of our New York sample of fifty subjects and sixty-two of the California sample of one hundred subjects answered this question in the affirmative. These percentages are apparently much larger than would be expected. If we send people to prison for punishment, we are not succeeding, in over half the cases, if our findings are representative of fact. The higher percentage at San Quentin is to be expected from the nature of the two institutions.

Our second question referred to the specific reasons for any unhappiness. We got essentially the same answers from both populations: thoughts of the family, the irksomeness of confinement and specific prison conditions were the chief causes of unhappiness. Where we inquired into their mental content, we found that the inmates claimed to have thought mostly of the future, of their families and of their rehabilitation.

Our fourth question we felt was perhaps the most important, since in a disguised manner it asked what the prisoner thought of the over-all value of the institution. The question read: ' Do you think that the average prisoner benefits from his incarceration '? Only thirty-four per cent of the Auburn men agreed to this. In contrast forty-nine per cent of the San Quentin men agreed that others had, in general, benefitted from their stay.

When we made the same questions more personal, asking if the prisoner had himself benefitted, the estimates rose in both cases: sixty per cent of the New York State prisoners said they had, and seventy-six per cent of the California men believed they had improved in prison. We get some insight perhaps into insight!

Our sixth question showed an unexpected difference in favour of the New

[1] R. J. Corsini: ' A Study of Certain Attitudes of Prison Inmates '. *J. Crim. Law and Criminol.* 1946. **37,** 132-140.

[2] See the review of ' San Quentin—The Story of a Prison ' in this issue. (Ed.)

York Institution, which on most of the questions came second best from a progressive point of view. When we asked if any people had helped them to understand themselves, we found that sixty-four per cent of the New York men and only fifty per cent of the California men agreed to this. Our only explanation lies in the fact that the Auburn officers were in general considerably older and more experienced than the San Quentin guards.

The greatest difference, however, was found in our seventh question: 'Whether the men had learned anything of value in prison, such as a trade'? Only fourteen per cent of the Auburn inmates felt they had learned something of benefit in contrast to the fifty-five per cent who believed they had improved some economic skill.

Sampling the reaction of the inmates to treatment we found that sixty-two per cent of the New York group were dissatisfied, feeling more should have been done for them, and sixty-seven per cent of the California group was dissatisfied. This was a peculiar inversion and also quite unexpected. Perhaps we can say the more we do for prisoners the more they expect!

When we asked for specific suggestions for changes we found considerable reluctance or perhaps lack of ideas. Fifty-six per cent of the New York group and forty-seven per cent of the California group did not respond. Those who did respond in the New York group suggested more psychiatric service, and better educational-vocational activities, while the suggestions of the California group, no doubt influenced by the over-crowding at San Quentin were concerned chiefly with architectural and personnel changes.

Our tenth was: 'What had distressed, annoyed or bothered the men most'? In both cases, as might have been expected, the answer was: people. Personnel and other inmates in that order were the main annoyers.

Seventy-four per cent of the New York men and fifty-four per cent of the California men felt they would do well on parole after release. These differences, once more, are unexpected, and may indicate greater insight and more realism on the part of the California men.

Our last question was: 'What was the cause of your crime'? 'Money' said the Auburn prisoners, then 'Alcohol', Foolishness' and the 'Environment'. But the California men said 'Instability' was first, then 'Environment', 'Alcohol' and 'Foolishness'.

Discussion: Our primary concern is to point out that people who deal with the prisoner have not thought it worth while to approach any new issue relating to them through the apparently logical manner of getting the prisoners' opinions. We suspect that neglect of this procedure stems from emotional reasons. For example, if it were considered good to make the prison an unpleasant place, what better method to find this out than through the prisoner himself? We have had the experience of reading literature about certain progressive programmes in various institutions about which the authors were lyrical in their description and almost ecstatic in their praises, but with which we found the inmates almost to a man, in complete disagreement. The question might be asked: Who is right? If a superintendent of an institution expatiates on his excellent medical, educational or classification programme and if we find diametrically opposed reactions on the part of the prisoners, who can say who is right? Our survey points out that, by and large, as far as the prisoners believe, the more progressive and advanced prison is superior, but that basically, except in a few minor instances,

prisoners feel about the same about both institutions. If we were able to correlate differences in prisoner attitudes with actual differences in results, *i.e.*, rates of recidivism, we might have a cheap, accurate, and useful method of measuring the social value of different kinds of prisons. This is a problem for the future.

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REVIEWS

JUVENILE DELINQUENCY. By J. D. W. Pearce. (London: Cassell and Co. Ltd. 1952. Pp. x + 396. Price 25*s*.)

The problem of Juvenile Delinquency is a matter which is engaging the attention of all thoughtful persons and is creating great concern. There appears to be no doubt that a considerable social upheaval is taking place in our midst and doctors, lawyers, and probation workers and others are seeking new information and new ways of dealing with it. Particular aspects of the problem have been discussed and analysed by research workers, clinicians, sociologists and others, but so far no adequate means have been devised to effect the successful management and treatment of such troubled states. The problem continues to grow and constitutes a situation which every civilized community must sooner or later make more constructive efforts to deal with. We need a more enlightened public attitude and more understanding of basic instinctive drives so that better treatment can be affected both inside and outside clinics and institutions. The actual provisions for the care and treatment of such cases is sadly lacking and on that account many potential delinquents continue to live in the community where they constitute a serious and persistent menace to others as well as a trouble to themselves. They are indeed in constant conflict with the police and all other peaceful organizations.

A book, therefore, which attempts to make a comprehensive survey of this very distressing condition of juvenile delinquency must be welcome and merits the most careful consideration. Dr. Pearce is well equipped for the task which he has undertaken because he has not only had extensive experience in the field of juvenile delinquency but, in addition, he has had a comprehensive psychiatric training. Under these circumstances, his opinions must command great respect and his observations can be regarded as coming from an authoritative source. In his book he gives a straightforward account of the factors which influence the child in his development and which he believes can, under certain circumstances create conduct disorder which may bring the child into conflict with society. He discusses those different factors in considerable detail and it is easy to subscribe to his statement that there is no simple all-embracing cause. He lays considerable emphasis on the constitutional factor as determined by the person's hereditary structure, and he is likewise fair in giving due weight to the environmental surroundings. He appreciates that it is always the inter-reaction of nature and nurture which operate in every case. In some instances it may be the home, the district, the school, the employment agency, and so on, which may be at fault

and he indicates that many attempts may often require to be made before a successful adaptation can be affected. If everyone could take such a broad viewpoint, then juvenile delinquency would be better understood and no particular point of view would require special emphasis. Dr. Pearce anyway does not believe in any one-sided approach but insists that to understand each case properly there must always be comprehensive history taking so that due consideration can be given to all the facts. The symptomatology of the varying clinical states is described and case records are utilized to illustrate the many-sidedness presented and the various forms of treatment which may be utilized. The procedure governing the work of Juvenile Courts, the various legal enactments by which juvenile delinquency can be dealt with are all fully and carefully detailed.

It is a little disappointing when a man of Dr. Pearce's experience and ability has not adopted a rather more critical and constructive attitude. He has given us the facts as they actually exist but there is a certain lack of vision in the presentation of those facts. Furthermore, the contributions of others are quoted too lavishly when one would have preferred to know Dr. Pearce's own judgement.

On the whole, however, it may be said that although this book breaks no new ground, yet it is a valuable contribution which will be very helpful to doctors, psychiatrists, lawyers, and, indeed, to all others who have to do with the teaching and training of young persons.

DAVID K. HENDERSON

SAVING CHILDREN FROM DELINQUENCY. By D. H. Stott. (London: University of London Press. 1952. Pp. x + 266. Price 12s. 6d.)

This book ranges widely over the causes, remedies and means of preventing juvenile delinquency. It is largely composed of revised articles from 'Probation', 'The Times Educational Supplement' and restatements of some of the main arguments from the earlier book 'Delinquency and Human Nature'.

The author holds that 'delinquency or any other kind of false adjustment to life' is the result of an emotional malnutrition in two main respects: the individual must feel himself to be effective and to have mastery over at least some aspects of his environment: he must have secure membership of a small 'belonging-group' within which he is cherished and in which trust, loyalty and mutual service are implicit. These points are well elaborated in a non-technical, graphic and readable style, so that the book will bring home forcefully, to those who are in any doubt, the importance of simple emotional factors.

Dr. Stott touches upon youth-clubs, problem families, deprived children and children in approved schools. He elaborates an industrial foster-parent scheme which is to revive the spirit of the old apprenticeships and is to have the backing of trade unions. Neither the child guidance clinic, nor any development of it, is even mentioned in his suggestions for prevention. The weakest section of the book is the Outline of Diagnosis for Social Workers. In this again, the approach is narrowed to the grosser emotional disturbances originating within the family, which give rise to 'avoidance-excitmement', 'mother-anxiety', 'delinquent-attention' and 'demonstrative-resentment'. There is little differentiation between the particular problems of the pre-pubertal child and the adolescent: but this is not surprising as the author is able totally to dispense with 'Freudian occultism'.

The final chapter on 'Delinquency and Dullness' elaborates in a somewhat dogmatic and over simplified way, the inhibiting affect which emotional factors may have upon intellectual functioning. There is no mention of the considerable literature already existing on this subject.

Dr. Stott is a man with a message and that being so one would like to review his book in a kindly spirit; but he frequently allows over-statement and generalization to obscure accuracy and balance. He is rather lacking in modesty, both for himself and his particular approach, he rarely acknowledges those who have previously traversed his ground, or the other disciplines which overlap it. He has a passionate desire to sweep clean but his brush has too few bristles.

PETER SCOTT

BEHAVIOUR DIFFICULTIES OF CHILDREN. By William Griffiths. (Minneapolis: University of Minnesota Press. London: Geoffrey Cumberlege. 1952. Pp. xii + 116. Price 24s.)

This volume is the 25th of the Child Welfare Monograph Series. It presents the results of a study of the estimates made by 900 school children of between 6 and 14 of their behaviour difficulties. These are compared with the results of questionnaires issued to parents and teachers in respect of their assessments of the behaviour difficulties of this group of children. The types of behaviour difficulty presenting are also analysed for age groups and on the basis of the socio-economic status for the children.

The method of the investigation is painstaking and thorough, the findings are competently analysed and presented. Relevant studies are discussed and included in the bibliography. While emphasis is laid on the estimates made by children of their own difficulties, much of the interest of this study lies in differences that emerge between the three socio-economic groups covered by the study.

KENNETH CAMERON

CHILDREN WHO HATE: THE DISORGANIZATION AND BREAKDOWN OF BEHAVIOUR CONTROLS. By Fritz Redl and David Wineman. (Glencoe, Illinois: The Free Press. London: George Allen & Unwin. 1952. Pp. 253. Price 25s.).

This book recounts a project carried out at a home where some 20 delinquent boys between the ages of 8 and 12 lived over a period of 19 months. The 6 children chosen for investigation were of normal intelligence, and a day-to-day account of their behaviour is given in the form of entries from diaries kept by members of the staff.

It owes its striking title to the fact that those selected were 'toughies', whose home circumstances, or more accurately, lack of home circumstances other than backgrounds of instability, neglect, or brutality, had rendered them aggressive and destructive, full of suspicion and brimming over with wishes for revenge. 'To begin with, they are deeply deprived from birth of libidinal gratification from the parents. Seldom do they observe tenderness, feelings of mutual consideration, helpfulness or concern' Consequently 'Such children are oriented toward the self as emotional objects, they have not moved along the developmental scale to such a point that they can take on other human beings in a positive emotional sense'.

Reaction caused difficulties to the Staff whose attitude was one of normal affection and tolerance, an attitude never experienced before by such children and consequently misinterpreted by them. ' If they love me they will give me anything I want, let me do anything I wish ': hence the children ' Cannot cope with the inevitable disappointment that the adult does not conform to the implications of their delusional attitude, *i.e.*, that he be totally permissive '. They are able to take ' anything but affection ' and this is exemplified not merely in individual actions, but in mass outbreaks of destructiveness and aggression to which the children were especially prone at bedtime !

' Children Who Hate ' endeavours also to select from its records material for the further study of Ego function. Twenty-two specific instances of the breakdown of Ego controls are listed, 34 items of delinquent defences, and 6 ' sicknesses of the conscience ' (Super-Ego disturbances). In a chapter headed ' The Ego that cannot perform ' attention is drawn to the inability of the delinquent Ego to master external conflict, or its own feelings of anxiety, fear and insecurity, except by the panic techniques of ' total flight and avoidance ' or ' ferocious attack and diffuse destruction '. Furthermore the authors contend that whereas the neurotic has ' too many guilt feelings ', these children ' have too few '. ' Their own Super-Ego being delinquency identified already, guilt feelings won't bother them '. In fact, owing to their early experiences they are forced into a ' paranoid interpretation of life '. In the later chapters a whole pattern of delinquent behaviour unfolds: the fear of vulnerability through love and affection: the apparent contradiction of a false appraisal of reality with a very acute manipulation of it, due to a narrow estimate of its uses for the child's own delinquent purposes.

Though rather slow reading, this book contains much valuable material freshly observed; the method of presentation ultimately rewards the reader with many stimulating lines of thought, and a convincing picture of the fundamental causes and character of delinquent behaviour.

J. WARBURG.

SAN QUENTIN—THE STORY OF A PRISON. By Clinton T. Duffy. (London: Peter Davies. 1951. Pp. 248. Price 12s. 6d.).

This is the success story of Warden Duffy rather than a history of California's most notorious prison, and it has been fortified with anecdotes concerning escapes and capital punishment in order to spice it for the popular taste: but it is well worth reading as an indication of what an American prison of 5,000 inmates was like in quite recent years and as a record of what can be done by a man of courage and enlightenment who has grasped the simple fact that the better you treat prisoners the better they get; and conversely.

Given conditions as described in the pre-Duffy period (up to 1940), there is little need to wonder at the desperate nature of the inmates. They might well feel that any risk was worth taking in order to get away and stay away. Fortunately it now seems that the Californian Department of Correction has taken a firm hold on the prison system and that no future Warden Duffy will again have to sweep such an Augean stable. The Courts may now find it possible to avoid the passing of fifty year sentences and may be able to decide whether or not a

man shall die without taking years about it, whilst he lingers in the condemned cell.

Warden Duffy had to work quickly because he was only appointed at first for thirty days. He dismissed the worst of the guards, banished the straps and rubber hoses, stopped the shaving of heads and made the food fit to eat. He was confirmed in his appointment and followed on with constructive work. He established an educational programme, disarmed most of the guards, opened camps, brought in films and music, welcomed visitors and treated prisoners as persons capable of rehabilitation instead of outcasts to be beaten into submission. It has all gone very well and should continue to do so, provided no straining after appearances intervenes to mar the effort.

Out of many interesting remarks one deserves quotation: ' There is a saturation point in practically every man's servitude beyond which every additional hour is wasted and destructive punishment. Occasionally men who are locked up too long become ' stir simple '. We have them in San Quentin, men who could have been salvaged TEN OR TWENTY YEARS AGO, when the scars of their crimes—they're not all murderers, either—were still raw and painful. But there is no hope of rehabilitating them now, and they will be a public charge as long as they live '.

W. F. ROPER.

WHO LIE IN GAOL. By Joan Henry. (London: Victor Gollancz, Ltd. 1952. Pp. 192. Price 12s. 6d.).

It is a long time since any book was written on the subject of women's prisons, and accounts by women prisoners are conspicuous by their absence. A book by an ex-Holloway prisoner might therefore be an important addition to penal literature. How far does ' Who Lie in Gaol ' fill this role?

The answer to this question depends on whether the reader is considering the general picture of prison life painted by the book or its detailed criticisms. Some of the author's detailed allegations can definitely be refuted by facts. Sometimes she seems to accept unquestionably the legends that inevitably spread and grow in the telling in such an atmosphere as Holloway, sometimes she is unfair to the staff. Whether she has kept the problem of Lesbianism in its proper proportion is debatable. Many people who know Holloway and see it critically believe her to exaggerate.

Yet in spite of its faults the book has a real value, for in its broader outlines it approaches the truth. The writer shows life in Holloway as unconstructive, lacking in stimulus and in adequate occupation. Against this is her account of Askham, with its harder work, more human contacts and its real attempt to meet the personal needs of the individual prisoner. It is a complete vindication of the theory of the modern open prison. But there is no ' pampering the prisoner '. It is clear how much heavier are the demands made by Askham than by Holloway both as regards work and personal effort in other directions.

W. A. ELKIN.

MURDER AND ITS MOTIVES. By F. Tennyson Jesse. (London: Harrap. 1952. New Edition. Pp. 222, including Index. 12*s*. 6*d*.)

The author of this little book, who has several novels and other literary works to her credit, admits that when she wrote the first edition of this book, in 1924,

she knew very little about murder. She decided to investigate six cases, in each of which she considered that the murder had been committed for different reasons, and she went to considerable trouble to ascertain the facts of these particular crimes, and analyse the motives of the murderers. The result was half a dozen rather colourless accounts of these crimes, prefaced by a short essay on the classification of motives for murder, which, allowing for its amateur origin, was quite a useful contribution to the literature of criminology.

Now, after twenty-eight years, the book has been resuscitated. The introduction has been extensively rewritten and enlarged, so that it is now some three times its original length and contains over fifty pages. Unfortunately some of the useful points made in the original version, for example, the observations on moral imbecility, have been omitted, and much of the new material which has been introduced appears to be directed towards the taste of the popular reader. The result is that the book has become of rather less value to the serious student of delinquency. E. H. W.

SEXUAL DEVIATIONS: A PSYCHODYNAMIC APPROACH. By Louis S. London and Frank S. Caprio. (Washington: The Linacre Press. 1952. Pp. xviii + 702. Price $10).

The authors of this survey of sexual deviations have resorted to the 'case-history' method of presentation. Their book consists mainly of a detailed history and therapeutic record of twenty-five cases illustrating such varied conditions as homosexuality, incest, exhibitionism, frottage, sadism, masochism, fetishism, transvestism, coprophilia, urolagnia and zoophilia. Although Drs. London and Caprio have been much influenced in their approach by the writings of Freud and Stekel, it would perhaps be more accurate to describe their presentation as a general psychiatric one. And although the general reader may find their psycho-pathology heavily weighted with unconscious motivations, and may otherwise lose himself in the mass of clinical detail, the modern psychoanalyst would no doubt regard their etiological descriptions as superficial and stereotyped. He would in particular consider the authors' view that all deviations are symptomatic of underlying neurotic formations of an obsessional type unnecessarily rigid and unilluminating. To which it may be added that, considering the wide experience of the writers, the sections on prophylaxis, treatment, prognosis and medico-legal management are inadequate.

On the whole therefore the main virtue of the book may be said to lie in its descriptive case-reports and for this reason it can be recommended to psychiatrists who have had little opportunity of studying sexual deviations at first hand, and, although not without some reservation, to the lay public and to penal administrators who know of sexual deviations respectively from hearsay and from criminal records. E. G.

THE SCIENTIFIC STUDY OF PERSONALITY. By H. J. Eysenck. (London: Routledge & Kegan Paul. 1952. Pp. xiii + 320. Price 30s.)

Dr. Eysenck describes his new book as 'a sequel to *Dimensions of Personality*'. Like its predecessor, it is concerned with the application of factor analysis to the

study of personality ; but whereas the earlier volume was based mainly on work with neurotics, this deals also with the testing of both normal and psychotic adults.

The possibility of applying statistical procedures to unravel the non-cognitive aspects of the mind has frequently been criticized Yet, curiously enough, factor analysis itself started with a set of equations, deduced by Karl Pearson fifty years ago, for classifying criminals on the basis of data supplied by Scotland Yard ; and as far back as 1915 I myself found that a very similar procedure could be successfully used with children to determine the main factors involved in the emotional aspects of personality. Since then a succession of enthusiastic research-students, working in the same laboratory—among whom Dr. Eysenck was one of the ablest and most recent—have attempted to confirm and extend the earlier conclusions by factorizing data obtained from many different fields of human life. The earlier work was carried out mainly among normal, delinquent, or neurotic pupils attending schools or child guidance clinics. Dr. Eysenck has since been able to secure measurements on an extensive scale from adult patients in mental hospital and has thus sought to put psychiatry on a more objective basis.

In the main the factors that he has verified agree with those that had been previously encountered among children and normal adults, namely, factors for body build (studied mainly because of their alleged association with temperamental tendencies) a general factor of emotional instability (which Dr. Eysenck regards as the essential factor in neurosis), and a number of more specialized factors, of which the most important is one that contrasts the so called extraverted of uninhibited temperament with the introverted or repressed (a factor which was the most conspicuous in the 1915 inquiry). But in addition Dr. Eysenck now claims to have discovered yet another factor which he terms ' psychoticism ' : he believes that all psychotic disorders can be arranged along a single ' dimension ' which includes normal persons at one end of the scale, manic-depressives at the other, with a schizophrenic group somewhere between the two.

Among delinquents all the types and factors which he has described could no doubt be found. But it is commonly alleged that potential delinquents occur more frequently among the unstable extraverts, and potential neurotics among the unstable introverts. If so, the various diagnostic tests which Dr. Eysenck has tried—apparently with much success—might be usefully employed in criminological researches.

There is, however, one respect in which Dr. Eysenck's approach differs from that of most practical workers in this country. British psychologists have nearly always held that factor analysis is merely one convenient device for securing a more rigorous verification of plausible hypotheses advanced on more concrete grounds : and they have generally insisted that it is essential to combine statistical studies with clinical case-studies—the two lines of attack supplementing and supporting one another. Dr. Eysenck, however, has become highly sceptical of the clinical methods adopted in psychiatry. So far as available evidence goes, he believes we are still ' in a position where any belief in psycho-therapy depends on faith, not on scientifically demonstrated fact '. Accordingly, he prefers to confine himself solely to the measurements obtained from ' objective tests of personality ', and to base his conclusions on these. Nevertheless, for the numerous patients whom he and his fellow-workers have so assiduously tested a vast amount of

psychiatric and psychoanalytic material must have been available; and most readers will feel a little disappointed to find all this parallel work ignored as destitute of scientific interest or value. However, as Professor Aubrey Lewis observes in his foreword, those who feel that Dr. Eysenck's conclusions are at odds with their own experience will find that he has 'used methods of observation and analysis which can be readily repeated', and should therefore seek to base their criticisms or counter-claims, not on armchair speculations, but on objective studies carried out with the same industry and care, and supplemented by whatever modifications or extensions they may think desirable in the interests of a more comprehensive approach.

CYRIL BURT

THE AUTHORITARIAN PERSONALITY. By T. W. Adorno, Else Frenkel-Brunswik, Daniel J. Levinson and R. Nevitt Sanford. (New York: Harper and Brothers. 1950. Pp. xxxiii + 990. Price $7.50. London: Hamish Hamilton. Price 52*s.* 6*d.*)

In its scope, in the variety of methods used, in their theoretical as well as practical implications, the research undertaken by the writers is an outstanding achievement. They used psychoanalytically oriented interviews, questionnaires, opinion-attitude scales, projective (open-answer) questions and personality tests; and studied their subjects' personality structure, their ideology, family history, intelligence and education, ambitious and fantasy life, their attitudes to their parents and siblings, to minority groups and to Government, to sex, and to economic theories, to religion and to their physical well-being. The subjects included psychiatric patients, University men and women, Service Club men, Marine officers, Service Veterans, working-class and middle-class men and women and prison inmates. The present review will be mainly concerned with the study of the last mentioned group of subjects.

This particular enquiry was made at the famous San Quentin Prison of the State of California. One hundred and ten inmates were examined. On the Ethnocentrism Scale and on the Fascist Scale (these scales were developed by the writers to measure the extent of racial intolerance and authoritarian tendencies) the inmates obtained higher means than any other group tested by Adorno and his collaborators, and on both scales the low end of the frequency distribution was cut off. That means that practically none of the inmates could be classified as tolerant and 'democratic'. In their accusations the prisoners tended to ascribe to minority groups exactly those characteristics which the criminologists ascribe to them: laziness, aggressiveness, the way of life which provides 'easy money' without moral scruples, lying exhibitionism, uninhibited sexuality and general lack of self-control. In their statements the inmates were highly moralistic about the very offences for which they had been committed. Repeated rapers would express moral indignation about sexual promiscuity, sexual perverts would insist that *other* perverts should be severely punished, burglars, robbers, and thieves condemned greed and people who rob and steal. Most inmates would make moralistic distinctions between themselves and the other criminals, always regarding themselves as belonging to a superior class. They wanted to introduce racial segregation at the prison and appeared to be full of hatred and fear towards the under-dogs.

This finding confirms what has been partly known from other writings, in particular by Clemmer, but the authors of the present volume go much further in their generalizations than their predecessors did. To them racial prejudice is but one aspect of a broader pattern of social thinking and group functioning. There are some sub-groups in that general pattern and Adorno in particular in a chapter on ideology, introduces a classification of prejudiced individuals. He distinguishes, among others, ' the authoritarian syndrome ' (with sado-masochistic impulse structure, anal-sadistic character formation, rigid and restrictive super-ego and identification with symbols of power), and ' the rebel and the psychopath ' who put emphasis on bodily strength and toughness, are destructive and hate all authority. In that light delinquents belong to the second category—but again delinquents do not form a homogeneous group and could be broken into at least as many categories as believers in racial segregation. In some way all generalizations and classifications are unsatisfactory as they never do justice to individual and more subtle group differences. But while some typologies are useless, some do give new insight not only into the *common* patterns of reactions but also into the ways in which many *individuals* function in society. ' The Authoritarian Personality ' is a typology *with* insight, and the effort of going through nearly a thousand pages is well worth undertaking.

T. GRYGIER

CHILD PSYCHOLOGY. By George G. Thompson. (London: George Harrap and Co. Ltd. 1952. Pp. xxxiii + 667. Price 30*s*.)

The development of the child as a line of scientific study has been approached from three angles, the behaviouristic, associated with the names of Watson and Gesell ; the clinical, associated with names of Freud and his followers, and the conceptual, associated with the names of Piaget and the Geneva School. It is but recently that these lines of enquiry have shown a trend towards convergence and this has been due, as this well documented volume shows, to the common needs of the observers of children, the laboratory worker, the educationalist, and the child psychiatrists in building their systems as well as in refining their research instruments.

Professor Thompson's approach, whether it is in regard to the behaviour of the infant or the school child, is developmental and the problem of maturation, as well as of learning in a field of attractions and stimulations stand out clearly. The book is attractive to the modern student inasmuch as there is a scientific unity in his method, whether he deals with cognitive, emotional or social processes. The language is simple, the diagrams are clear and the chapter bibliographies ample. Nearly two hundred pages are devoted to development of social behaviour. A widely flung net has caught up all the vital issues and students of abnormal child behaviour will be advised to keep this volume by them in order to keep in proper perspective what we know of norms of conduct. E. M.

CHILD PSYCHIATRIC TECHNIQUES. Edited by Lauretta Bender. (Springfield, Illinois: Charles C. Thomas. Oxford: Blackwell Scientific Publications. 1952. Pp. xi + 335. Price 63s.).

This handsome volume is concerned with the diagnostic techniques and treatment of Problem Children. Carried out by doctors on young subjects the

examination of abnormal children cannot be dissociated from normal developmental processes and herein lies its particular value. In view of the difficulties encountered in examining children who cannot yield much by ordinary interview techniques, every possible avenue is explored, including observation of play and other expressive forms of behaviour. All these, therapies apart, are aspects of projection methods; amongst them art activity plays a very prominent part. Drawing, painting and modelling, puppet plays, all reveal aspects of the phantasy life in general and of object relations in particular.

One of the most fundamental issues of human psycho-physical development is the ways in which the body schemata are formed and play a part in motor expression and in body-generated anxiety. Many of the neurotic and indeed psychotic formations are revealed by these studies. All those who are patient enough to explore unconscious processes will be rewarded by a close study of this volume. We may through these channels of enquiry be better able to differentiate between these basic dynamic issues in psychopathology, namely, neurosis, psychosis and delinquent behaviour.

E. M.

SOCIAL PSYCHOLOGY. By Theodore M. Newcomb. (London : Tavistock Publications. 1952. Pp. xi + 690. Price 30s.)

The social influences that shape personality, the influence of group membership on conduct, and the development and alteration of attitudes are all matters of vital importance to the student of delinquency. And yet it is the social psychological aspects of the subject that are the most neglected. This text-book, by one of the leading social psychologists of America, should prove of great value in providing the basis for a social psychological approach.

T. H. Newcomb is, perhaps, best known for his work on attitudes and it is not surprising that the section on ' Motives and Attitudes ' is the most detailed in the book ; it is, in fact, one of the best accounts to be found in any of the numerous text-books that pour from the press. This section is followed by an analysis, largely following Linton, of social conduct as the playing of roles. Then comes a section on the development of the personality and the influence of different cultures, and of various social stresses, on its structure. Finally there is a section on ' Group Membership ', with a valuable discussion of group conflict and group solidarity. One of the chief merits of the book is the insistence throughout on the importance of the empirical approach. Professor Newcomb has no use for generalizations with no empirical backing. This means that the reader is introduced to an enormous amount of the field work that has been done in the United States, and also to some of the work done in this country. It should be added that, unlike many scientific books which come to us across the Atlantic, this one is eminently readable.

W. J. H. SPROTT

ADOLESCENCE. By Marguerite Malm and Olis G. Jamison. (London : McGraw-Hill Book Co. Inc. 1952. Pp. vii + 512. Price 42s. 6d.)

This book is written by educationalists for teachers and those engaged in the supervision of adolescents. The basic facts of physical, emotional and social development at adolescence are presented in simplified form and the problems of

adolescent adjustment discussed on what is obviously a background of experience and with quoted examples. The final section deals with home, school and community provision for adolescents and how their needs should be met. Delinquent behaviour is somewhat cursorily discussed. Relevant reading matter is suggested in each section.

Although somewhat didactic and concerned necessarily with the adolescent in American culture, the volume should prove enlightening and useful to the section of the public for which it is intended.

KENNETH CAMERON

THE PSYCHOANALYTIC STUDY OF THE CHILD. Edited by Ruth S. Eissler, Anna Freud, and others. (New York: International Universities Press. London: Imago Publishing Co. 1952. Pp. 448. Price 40s.).

The latest volume maintains the high standard established by former volumes and the series has become a standard serial text book of opinions and developments.

This particular volume is not only a source book of analytic ideas on child development and disorders but a platform of discussion. The reviewer must confess that the case studies and practical problems prove much more helpful than do the theoretical discussions. These show profound divergences and contradictions and while it is natural that a growing subject should exhibit all the dynamic qualities of growth, it is a pity that doctrines are so needlessly expressed in concepts and terms (ill defined) which border dangerously on the esoteric: all the papers are of value to the specialist and therefore no paper can be singled out for special praise, but for particular attention one can cite the symposium on Mutual Influences in development of Ego and Id ; the role of bodily illness in the Mental Life of the Child (by Anna Freud) ; and a survey of Learning Difficulties by Gerald Pearson.

The student of Delinquency will find valuable case material and theoretical issues scattered throughout this important volume.

E. M.

DEVELOPMENTS IN PSYCHO-ANALYSIS. By Melanie Klein, Paula Heimann, Susan Isaacs, Joan Riviere. (London: Hogarth Press and the Institute of Psychoanalysis. 1952. Pp. viii + 368. Price 30s.).

If, between them, psycho-analysts and analytical anthropologists cannot solve the problem of unconscious guilt, which from both therapeutic and preventive aspects is the kernel problem of criminology, we may well despair of the future of all three sciences. Unfortunately it seems that for some time no unequivocal solution will be derived from psycho-analytic sources in Britain. This book of essays, for example, although largely concerned with infantile mental development and with the related problems of anxiety, guilt and depression, is based primarily on papers given by the first three authors in a series of controversial discussions which took place in the British Psycho-analytical Society in 1943, the main issue being the validity of the Klein system of child psychology. The book presents the Kleinian position *in extenso*, but as none of the papers is included in which that position was subjected to detailed criticism, it is impossible for the intelligent lay public (to whom amongst others the volume is recommended by

the publishers) to appreciate that, from the point of view of the orthodox Freudian, the Kleinian theory is in most essentials a confused hotch-potch of undisciplined conjecture. One awaits with interest the publication by the International Psycho-analytical Library of the anti-Kleinian papers given during the discussion.

E. G.

ABSTRACTS AND REFERENCES

CRIMINOLOGY AND SOCIOLOGY

VILHELM AUBERT: 'White-Collar Crime and Social Structure', *American Journal of Sociology*, 1952, **58**, 263–71.

It is the controversial nature of white-collar crimes that makes them so interesting to the sociologist and gives a clue to important norm conflicts, clashing group interests, and possibly incipient social change. The laws against white-collar crime are largely an outcome of the complexity of modern industrial society. It is the ambivalent attitudes to them which are the most useful starting-point for empirical research on white-collar crime in its relation to social structure. The author describes a few aspects of two studies in this field which he has carried out in Oslo. In the first he surveyed the attitudes of certain types of business men to the rationing of goods and price regulation and to their violation. The second study investigated a new piece of social legislation, regulating the working-conditions of domestic help. The correlates or possible causes of crime in this second study differ considerably from those which usually predominate in criminological theory.

J. C. S

ALBERT J. REISS, JR.: 'Social Correlates of Psychological Types of Delinquency', *American Sociological Review*, 1952, **17**, 710–18.

This paper is an attempt to isolate social correlates of psychological types of delinquents observed to be prognostic of delinquent recidivism. The data were obtained from the official court records of 1,110 white male juvenile delinquent probationers of the Cook County Juvenile Court in 1943 and 1944. Three types were isolated: (1) the relatively integrated delinquent; (2) the delinquent with markedly weak ego controls; (3) the delinquent with relatively defective super-ego controls. A study was made of the effect on these boys of such social influences as community orientation and control, the school, employment, the home, and the primary group. More intensive analysis of individual cases is required to show how the social milieu structures the personal controls of the delinquent and how social situations exercise social control over the behaviour of the delinquent.

J. C. S.

T. L. KOCHAWARA: 'Social Aspects of Juvenile Delinquency'. *Indian Journal of Child Health*, (November) 1952, **1**, 639-41.

LORD CHORLEY: 'The Scientific Study of Criminals', *Rationalist Annual*, 1953, 7-13.

In the 1930s interest was revived in Lombroso's theory of criminality. It was realized that certain mental abnormalities in the ordinary environment of modern

life would be so likely to get their possessor into trouble with the criminal law that he might not unfairly be regarded as a ' born criminal '. The elucidation of the type of mental abnormality which pre-disposes to crime is important. In this country the first organized scientific work on the problem did not begin until after the foundation of the I.S.T.D. In the U.S.A. much closer attention has been paid to all aspects of criminology, and large funds have been made available for research.

Nobody has ever attempted a serious statistical inquiry into the cost of crime to the community.

Some American States are beginning to experiment with the prediction tables devised by the Gluecks of Harvard University, for the use of courts when deliberating as to the sentences to be imposed.

A. GOLDENBERG : ' Seelig's Criminal Typology ', *International Criminal Police Review,* (January) 1953, **8,** 13–22.

M. BACHET & P. MARCHAIS : ' Persistance du tatouage chez certains délinquants. Confrontation avec les travaux antérieurs ', *Annales Médico-Psychologiques,* (January) 1953, *111* ann., t. **1,** 80–84.

L. THÉVENIN & M. COLIN : ' A propos des facteurs familiaux de la délinquance juvénile. L'influence paternelle dans le déterminisme du délit chez les garçons ', *Journal de Médecine de Lyon,* (March 5) 1953, **34,** 165–71. (Five case-reports ; summary ; reference.)

R. LUNDQUIST : ' Kriminellt homosexuellt beteende hos män—en sociologisk undersökning ', *Svenska Läkartidningen,* (February 20) 1953, **50,** 414–22

W. A. ELKIN : ' Criminal statistics, 1951 ', *Howard Journal,* 1953, **8**[4], 262–6.

C. H. ROLPH : ' Criminal Law and the People ', *Howard Journal,* 1953, **8**[4], 240–2.

PENOLOGY AND TREATMENT

R. E. MONEY-KYRLE : ' Towards a Rational Attitude to Crime ', *Howard Journal,* 1953, **8**[4], 243–7.

D. M. D. THURBER: ' Notes on New Sex Offender Legislation ', *Journal of the Michigan State Medical Society* (October), 1952, **51,** 1334-5.

W. R. B.

M. SICOT: ' The I.C.P.C. at the viith Session of the U.N.O. Narcotics Commission '. *International Criminal Police Review,* (October) 1952, **7,** 251-2.

RENEE BERG: ' After the Training School; a Welfare Department Takes Over ', *Focus,* (November) 1952, **31,** 178-84.

Recently after-care has been done by the Baltimore Department of Public Welfare instead of parole officers from the schools. Break from school authority

gives the child encouragement and a sense of progress. Juvenile Court orders the child to be under Welfare Department's supervision for a period at the department's discretion—usually a year. A feature is the very thorough preparation for the boy's return; worker visits home several times and makes careful casework plan. Crucial problem is improving child-parent relationship despite adolescent desire for greater independence. 'Parents as well as children have their own workers'.

JOHN C. SPENCER and TADEUSZ GRYGIER: 'The Probation Hostel in England', *Focus*, (November) 1952, **31**, 165-72.

Function and Administration are described by Dr. Spencer for the benefit of American readers in a useful summary. The chief problems are the inferior status so far given to this form of treatment, and the fact that methods vary from hostel to hostel, while its aims are often not fully understood.

Dr. Grygier discusses Psychiatric Considerations and gives some concise case histories. Eleven general conclusions are stated as to the indications and contraindications relevant to hostel treatment and he maintains that the 'greatest weakness of hostels seems to be the strictly limited length of stay'.

J. P. M.

JAMES V. BENNETT: 'Prisons in Turmoil', *Federal Probation*, 1952, **16**, No. 3, 3-6.

The Federal Director of Prisons in the U.S.A. comments on the chain reaction of prison riots between April and July starting at Jackson prison in Michigan. Among the conditions leading up to them, he sees marked weaknesses in buildings, personnel, and inequality of sentences. He says that the Youth Corrections Programme in California is meeting with outstanding success.

PAUL W. ALEXANDER: 'The Family Court of the Future', *Federal Probation*, 1952, **16**, No. 3, 24–31.

The Judge of the Domestic Relations and Juvenile Court of Toledo, Ohio, discusses the advantages of handling all the diverse legal problems of family life in one single court. This family court would take a leaf from the juvenile court. Diagnosis and treatment would be substituted for the old concept of guilt and punishment. It would be provided with a skilled staff of specialists and social workers. Above all it would require a specialist judge. In those places where courts of this kind have been tried, complaints of overlapping and conflicting jurisdictions are almost unheard of.

ELI BOWER: 'How can schools recognize early symptoms of maladjustment in Children and Youth'? *Federal Probation*, 1952, **16**, No. 2, 3-7.

Early recognition of maladjustment is essential in an effective programme of mental health. One of the difficulties involved in carrying it out is the ambiguity over the concept of normality. A member of a deviant sub-cultural group could behave atypically at school but be normal in his family or neighbourhood. The old criticisms that teachers regard the various forms of rebellion against authority as the most serious form of maladjustment are no longer true. With the object of

helping teachers develop an increased sensitivity to the emotional development of children, it is most important for schools to provide experiences with appropriate leadership, on a case-study or child-study level.

J. C. S.

J. Boon: 'Le détecteur de mensonges'. I. *Revue Internationale de Police Criminelle* (*Edition Française*), (November) 1952, **7,** 289-93. (Twenty-four references).

C. Allen: 'The Homosexual', *Medical World,* (February) 1953, **78**, 144–8.

Homosexuality can often be cured. When a cure is impossible, the social conditions can often be manipulated so that the sufferer does not come into contact with the police and can lead a useful life.

Cuban Police Force: 'The Police and the Rehabilitation of Offenders', *International Criminal Police Review,* (December) 1952, **7,** 310–6.

The establishment is recommended of an institute for the rehabilitation of the delinquent, in the work of which special bodies of police should assist. Special courses should be organized for training the police.

W. R. B.

Sol Rubin: 'What Privacy for Presentence Report?' *Federal Probation,* (December) 1952, **16,** 8–10. Albert W. Roche: 'Confidentiality of Presentence Reports', *Focus,* (March) 1953, **32,** 39–43 and 48.

These articles represent opposing views in the controversy on this subject. Rubin is in favour of disclosing the contents of presentence reports to defendants and/or their Counsel, so that 'they may be better prepared to make a statement on behalf of the defendant prior to the imposition of sentence'. They would be allowed to see the report used by the judge in deciding sentence, but nothing more. The standard objections to this are: first, that informants would be unwilling to volunteer statements if they were to be discussed in open court; further, where information gained by other social agencies in confidence for other purposes is incorporated in a presentence report a breach of confidence would ensue; finally, the case-work relationship of probation officer and client would be jeopardized from the start. Roche's article is concerned with amplifying these objections, particularly that of the 'drying-up' of sources of information; he writes more from the point of view of the practising probation officer. His estimate of possible effects appears to depend on a knowledge of American life, methods of advocacy and court procedure that the British reader can record, but not evaluate.

Rubin maintains that such arguments are negative, that they are really only rationalizations of a 'playing for safety' attitude, that no one has ever investigated the effects of disclosing presentence reports, and that disclosure could even be the starting point of a useful case-work relationship. Handled rightly the probation officer could use his report as a basis for discussing the offender's career and attitudes, and in this way could partially solve the problem of using case-work methods in an involuntary situation.

J. P. M.

PSYCHOLOGY AND PSYCHIATRY

H. Diedenhofen: 'Psychologische Betrachtung jugendlicher Diebstähle', *Kinderärzliche Praxis*, (November) 1952, **20,** 497–503. (Three case-reports; summary).

W. R. Keeler and L. Bender: 'A Follow-up Study of Children with Behavior Disorder and Sydenham's Chorea', *American Journal of Psychiatry*, (December) 1952, **109,** 421–8. (Summary and conclusions; 11 references).

A 3-15-year follow-up study—medical, neurological, psychiatric, and social adjustment—is presented of 20 children with behaviour disorders and Sydenham's chorea, observed in the psychiatric division of Bellevue Hospital, New York City. Their social adjustment and psychiatric outcome were very poor.

R. K. Gundry: 'Psychotic or Delinquent? Case Reports of Twenty-one Girls Transferred from Training School to State Hospitals', *Journal of the American Medical Women's Association*, (November) 1952, **7,** 403-8. (Table; 4 references).

During the past 11 years, 21 girls were transferred to Maryland State Hospitals from Montrose Training School for delinquent white girls. Their case-histories and results of treatment are given in full. One was epileptic, 1 psychopathic, 3 were defective delinquents, and the rest in the author's opinion psychotic.

W. R. B.

Starke R. Hathaway and Elio D. Monachesi: 'The Minnesota Multiphasic Personality Inventory in the study of Juvenile Delinquents', *American Sociological Review*, 1952, **17,** 704–10.

In this study the authors gave the M.M.P.I. to 4,000 young adolescents in the ninth grade of the Minneapolis public schools during 1947-48. In January 1950 they began an investigation to determine what pupils in the sample had come into contact with the Probation Officers, the Juvenile Court, and the Police Dept. The names of 442 boys and 155 girls were elicited. After an examination of the M.M.P.I. records of this group, using a classification of the children into groups on the basis of types of misconduct, they suggest that their finding can be of use to all agencies whose task it is to prevent the outbreak of serious behaviour and personality disorders. The M.M.P.I. is useful in the identification of such children.

J. C. S.

A. E. Buck & T. Grygier: 'A New Attempt in Psychotherapy with Juvenile Delinquents', *American Journal of Psychotherapy*, (October) 1952, **6,** 711–24. (Summary; 11 references.)

N. J. Blackman: 'The Culpability of the Homosexual', *Missouri Medicine*, (January) 1953, **50,** 27–9. (Table; summary; 10 references.)

To discern 'culpability' without understanding what the symptom of homosexuality stands for has led to 'bursts of legislating, often difficult and impractical in application'. The homosexual needs treatment, understanding, humane and adult handling, not punitive, repressive measures. Statistical data are given of fifty homosexual patients referred for mental observation.

B. KARPMAN ; S. CHESS ; L. A. LURIE ; M. SCHMIDEBERG, L. W. SONTAG : 'Psychodynamics of Child Delinquency', *American Journal of Orthopsychiatry*, (January) 1953, **23**, 1–69.

This symposium contains 'The Social Factors in Delinquency', 'Problems of Dependency and Masculinity as Factors in Delinquency', 'The Psychoanalysis of Delinquents', 'The Role of Endocrine Factors in Delinquency', a general discussion, summing up by the chairman, and a bibliography of 29 items.

P. R. NEWKIRK : 'Psychopathic Delinquents', *Diseases of the Nervous System*, (February) 1953, **14**, 52–5. (Conclusion ; reference.)

The non-psychopathic delinquent should be recognized as early as possible, and treatment should be concentrated on him. For the true constitutional psychopathic inferior only segregation for an indefinite period can be recommended.

J. BOWLBY : 'Some Pathological Processes set in train by early Mother-Child Separation', *J. ment. Sci.*, (April) 1953, **99**, 265.

Dr. Bowlby points out that the separation of a child from his mother may lead to the generation of feelings of hatred towards his mother who was, primarily, a love object. These feelings of hatred towards a love object give rise to acute conflict which can have permanent effects on personality development. The problem of why the effect on personality development is permanent is briefly discussed. One case is recorded in detail, and some observations on 49 other cases are presented.

H. F. JARVIE : 'Episodic Rage. Theta Rhythm, and Obsessions', *J. ment. Sci.*, (April) 1953, **99**, 252.

The case of a young man subject to attacks of episodic rage, who later developed ritual obsessions, is described. Electroencephalograms taken before and after the development of obsessions show a conspicuous resting theta rhythm with a prominent delta rhythm on hyperventilation. The literature linking obsessive-compulsive symptoms with abnormal electroencephalograms is discussed in the light of this case, and it is pointed out that the conspicuous theta rhythm is in keeping with the aggressive quality of the attacks.

G. W. GRANGER : 'Personality and Visual Perception : A Review', *J. ment. Sci.*, (January) 1953, **99**, 8.

This is a review of a number of researches on visual perception suggesting that visual perception in its various aspects affords a promising approach to personality organization. In the conclusion it is pointed out that this work should be linked with some general theoretical framework of personality study, such as Eysenck's hierarchical conception, so that these results on visual perception can be fitted into the more general scheme without losing sight of the value of other approaches. Finally the importance of constitutional and hereditary factors in personality organization is stressed.

DALTON, E. SANDS : 'A Special Mental Hospital Unit for the treatment of Psychoses and Neuroses in Juveniles', *J. ment. Sci.*, (January) 1953, **99**, 123.

The classification of cases admitted to the Unit at St. Ebba's Hospital is described. Just under one third of all admissions were classed as psychopathic personalities. In the section on aetiology both physical and psychological factors are touched upon. Treatment by psychotherapy and by physical methods including Leucotomy is used in the Unit, and four cases who had Leucotomy are briefly described.

H. BAKWIN : 'Psychologic Aspects of Pediatrics: Juvenile Delinquency' *Journal of Pediatrics*, (March) 1953, **42**, 387–91. (Seven references.)

A review including aetiology and prevention.

P. RIFFEL : 'Kriminalbiologische Untersuchungen im Badischen Jugendstrafvollzug', *Deutsche Zeitschrift für die Gesamte Gerichtliche Medizin*, 1953, **42**[1], 1–30. (Six tables ; summary ; conclusions ; 9 references.)

H. F. DARLING & J. W. SANDDAL : 'A Psychopathologic Concept of Psychopathic Personality', *Journal of Clinical and Experimental Psychopathology*, (July–September) 1952, **13**, 175–80. (Conclusion ; discussion.)

Psychopathic personality is not merely a deficiency in the social interaction of the individual, but a definite psychopathology of the individual, amounting to a psychosis. The abnormal behaviour manifested is due to irresistible impulses, which are due to an abnormal social manifestation of drives. Psychopaths learn from experience following transorbital lobotomy, and can be trained to adjust in society.

W. R. B.

W. H. CRAIKE : 'Psychiatric treatment of Adolescent Girls', *Howard Journal*, 1953, **8**[4], 258–62.

The author describes his experiences over a period of three years in a small Approved School for senior girls, in which regular psychiatric treatment is part of the school routine. It is suggested that all children admitted to such schools should have an electroencephalogram done. Of 25 girls six showed epileptic rhythms but never had an epileptic fit.

W. LINDSAY NEUSTATTER : 'Problems of Probation with a Condition of Residence at a Mental Hospital', *Howard Journal*, 1953, **8**[4], 251–5.

This valuable article, which should be read in full, discusses the selection of various types of offenders for in-patient treatment in a mental hospital. Those most likely to benefit are milder cases of insanity not requiring certification, certain epileptics, the elderly with impaired mental faculties, schizophrenics, maniacs, and depressives.

W. R. B.

MARGARETTA K. BOWERS : 'Hypnosis in the Treatment of Offenders', *Focus*, (March) 1953, **32**, 33–38.

This paper advocates the use of hypnosis as 'a valuable adjunct in the psychotherapy of the offender'. Its value lies in getting the patient through

difficult situations ; it may be particularly useful in the treatment of alcoholism when combined with other forms of therapy. It improves the patient's morale and represents a tangible effort on the part of the therapist. Its disadvantages lie in the amount of skill, effort, and time involved. Hence it should only be used in cases where ' in the context of the patient's dynamics, it may . . . tip the balance in favour of health and rehabilitation '.

H. PULLAR-STRECKER : ' A Review on the 1949/1950 Literature of Addiction ', *British Journal of Addiction,* 1951, **48,** 3–119.

The study of Addiction is not necessarily a branch of Criminology, but it is of interest to the criminologist in two respects : first, that the addict is particularly prone to fall foul of the law, thus raising peculiarly difficult penological problems ; and, second, that addictive behaviour may be analogous to certain types of delinquent behaviour, and that the treatment and understanding of both involves reference to a common framework of psychological theory. This review consists of a bibliography of the world literature on addiction for the year in question with fairly extensive annotations by the author ; as such it is a most valuable work of reference.

LLOYD W. MCCORKLE : ' Group Therapy in the Treatment of Offenders ', *Federal Probation,* (December) 1952, **16,** 22–27.

In 1950 a survey of 312 penal and correctional institutions in the United States got 109 responses ; only 39 institutions, chiefly training schools and reformatories, had any sort of programme of group therapy, and replies indicated that the term covered a very varied group of concepts. Nearly two-thirds used a lecture-discussion procedure, and only three used an analytic approach. This article describes a modified analytic form of group therapy ; it gives fairly long reports of discussions, and concludes with a summary of the basic points to be considered in forming such a group.

J. P. M.

CYRIL BURT : ' Symposium on Psychologists and Psychiatrists in the Child Guidance Service : VII—Conclusion ', *British Journal of Educational Psychology,* (February) 1953, **23,** 8–27.

Only a small percentage of cases referred to child guidance centres appear to be pathological ; the essential problem is to investigate maladjustment between the child's personality and environmental conditions. In the majority of cases psychiatric diagnoses are highly subjective, and the results of psychiatric treatment, except in definitely pathological cases, are less successful than the psychologist's. The psychologist, concerned particularly with environmental influences and variations of behaviour within the norm, is better equipped to deal with non-pathological cases. Both psychiatrists and psychologists are needed in child guidance work, but the key person is the psychologist. The results achieved fall short of the possible and the desirable, and there is an urgent need for more scientific research into the efficacy of different types of treatment.

J. P. M.

CORRESPONDENCE

Sirs,

May I comment upon the Note by Mr. W. E. Sargent 'Religion and Delinquency' in your April issue?

I agree with Mr. Sargent's general conclusions but these are scarcely novel; they have formed the basis, expressed in a more worldly way, of observations by St. Thomas Aquinas, St. Ignatius de Loyola, St. Vincent de Paul, to name a few of the saints who have worked in fields that interest readers of 'Delinquency'. Of course, too earnest a religious zeal gives rise to risks: indeed all unbalanced zeal introduces false foci to the subject of the too zealous attention. Perhaps the best verbal advice is given by the Cistercians who, in their Trappist order, have a rule not to speak at all and thus are more able to show active example.

But what I really criticise in Mr. Sargent's notes is the apparent assumption that morality is the same as religion and the lack of realization that there can be often very little connection between religion and morality. The Church, as Mr. Sargent and I know it, is not of the same perfection that Christ graces in Heaven. The Catholic Church knows those who live in '*invincible ignorance*' but this is not the folly of habit or of perverseness but a realization of the fact that the ignorant is *ignoti nolla cupido* and as such and from lack of environmental opportunity could not discover why God wants man to be perfect.

Does Mr. Sargent understand the doctrine of grace? How can we possibly tell how much worse delinquents would be but for the grace of God? Sometimes my impatience, *mea culpa*, affects my attitude to a forlorn, delinquent, aggressive psychopath and, with Mr. Sargent, I have to remind myself that patience should be as eternal as the soul's eternity: I wish I could feel convinced that I always then acted on the reflection: my failing, however, must not permit me to doubt that one day I can have more grace: it is I, not my religion, that fails.

I have had to deal with children of a Catholic mother and father who have left each other. I agree that the sacrament of marriage can mean little to such children; only a fool could disagree with Mr. Sargent's views on a problem of this nature. The mistake is surely to be surprised that these unhappy things happen and then to blame their occurrence to a failure of his religion.

I, too, conclude with a quotation, this from St. Bernard. The love-deprived delinquent is no new idea.

'Love seeks no cause beyond itself and no fruit: it is its own fruit, its own enjoyment. I love because I love. I love in order that I may love . . . . Of all the motions and affections of the soul, love is the only one by means of which the creature, though not on equal terms, is able to treat with the Creator and to give back something resembling what has been given to it . . When God loves, He only desires to be loved, knowing that love will render all those who love Him happy'.

Yours faithfully,
(signed) OTTO L. SHAW.

Mr. Sargent writes: It appears from Mr. Shaw's letter that he has not read correctly what I have written concerning the meaning of religion. I did not say

that religion is to be equated with morality. What I said was that this is what it means for some people. He has overlooked my reference to religion as based on some *orectic* experience of oneself in relationship with God. It should, however, be noted that even for many Christians religion is nothing more than a system of ethics carved out by Jesus ; the belief of personal Communion with God is beyond their comprehension. Mr. Shaw's references to the Grace of God are indeed relevant : but here let me state that as a theologian I have been exercised by this a priori assertion for many years, and as a minister of religion I have watched for its operations among those who claim to have it. It must be clearly asserted that such a statement as Dr. Shaw makes requires empirical verification. How can he be sure that it is the Grace of God accounting for the change in many delinquents and not some other psychological factor? I believe profoundly in the possibility of man's relationship with God from which emanates the desire and the dynamic or the grace to live the good life. This is an important facet of the Christian religion, but let us not be led into thinking that such an experience can be superimposed. It only comes after much desiring and striving, and, usually, to the mature personality. It is futile, therefore, to expect this experience of children and adolescents merely because they receive religious instruction. Mr. Shaw may indeed want to argue that one means of Grace is via the media of the sacraments, but here again we are driven back to empirical evidence for confirmation of this belief. Are those who participate in the sacraments consequently different from those who do not? It is one thing to make a judgment of faith, but the validity of every spiritual experience depends not on what one had done, as in being baptised or in partaking of the Eucharist, but on what one is.

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